
STATUTORY INSTRUMENTS

1991 No. 2313

WATER, ENGLAND AND WALES

**The Bristol Waterworks Company
(Constitution and Regulation) Order 1991**

<i>Made</i>	- - - -	<i>16th October 1991</i>
<i>Laid before Parliament</i>		<i>22nd October 1991</i>
<i>Coming into force</i>	- -	<i>12th November 1991</i>

Whereas provision is made for the constitution and regulation of The Bristol Waterworks Company (“the Company”) in local statutory provisions (“the relevant provisions”):

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

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

And whereas the Company has by a special resolution passed on 19th August 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 relevant 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his approval of the proposal by this Order that the local statutory provisions specified in Schedule 2 to this Order be repealed: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 Bristol Waterworks Company (Constitution and Regulation) Order 1991 and shall come into force on 12th November 1991.

⁽¹⁾ 1989 c. 15.

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

⁽³⁾ 1985 c. 6.

Status: This is the original version (as it was originally made).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

(2) In this Order—

“the 1845 Act” means the Companies Clauses Consolidation Act 1845⁽⁴⁾; and

“the 1863 Act” means the Companies Clauses Act 1863⁽⁵⁾.

Approval of proposal contained in the special resolution

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

Date on which memorandum and articles come into force etc.

3. The date specified for the purposes of section 101(2) of the Act as the date on which the memorandum and articles shall come into force and the relevant provisions shall cease to have effect is 12th November 1991.

Consequential provision

4. The local statutory provisions referred to in Schedule 2 hereto are repealed to the extent indicated in that Schedule with effect from 12th November 1991.

16th October 1991

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

(4) 1845 c. 16.

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

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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 Bristol Waterworks plc and the Articles of Association of The Bristol Waterworks plc(6).

SCHEDULE 2

Article 4

CONSEQUENTIAL REPEALS

PART I

PROVISIONS OF ENACTMENTS REPEALED

Title	Reference	Extent of repeal
The Bristol Waterworks Act 1862.	1862 c.xxx.	Section 3. Section 4 so far as relating to the 1845 Act. Sections 8, 9, 12, 13, 16 to 18, 23 to 29, 34, 36 and 37.
The Bristol Waterworks Amendment Act 1865.	1865 c.xxvi.	Sections 6 and 9 to 11.
The Bristol Waterworks Act 1872.	1872 c.ii.	Section 2 so far as relating to the 1845 Act. Sections 5, 8 and 11 to 15.
The Bristol Waterworks Act 1882.	1882 c.clxxv.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 25, 28, 34 and 35.
The Bristol Waterworks Act 1888.	1888 c.cliii.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 26, 29, 41 and 42.
The Bristol Waterworks Act 1889.	1889 c.x.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 24, 38 and 39.
The Bristol Waterworks Act 1895.	1895 c.viii.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Section 12.
The Bristol Waterworks Act 1900.	1900 c.lxxi.	Section 13.
The Bristol Waterworks Act 1902.	1902 c.cxxx.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Section 23. Section 30 save

(6) 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
		so far as relating to section 36 of the Bristol Waterworks Act 1889.
The Bristol Waterworks Act 1914.	1914 c.xxvi.	Sections 2 and 4. Section 10 save so far as relating to section 36 of the Bristol Waterworks Act 1889. Section 11.
The Bristol Waterworks Act 1917.	1917 c.xx.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 46, 51, 53 and 57.
The Bristol Waterworks Act 1921.	1921 c.xi.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 33 and 35.
The Bristol Waterworks Act 1926.	1926 c.v.	Sections 2, 6 to 10, 12, 17 and 18.
The Bristol Waterworks Act 1927.	1927 c.lxiv.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 32, 39, 40 and 42.
The Bristol Waterworks Act 1939.	1939 c.lxxxii.	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 4, 81, 82, 84, 85, 88, 90 to 93 and 96 to 104.
The Clywedog Reservoir Joint Authority Act 1963.	1963 c.xxxii.	Section 75 as it applies to the Company.

PART II

PROVISIONS OF ORDERS REPEALED

Title	Reference	Extent of repeal
The Bristol Waterworks Order 1920.	Confirmed by 1920 c.cvi.	Section 14.
The Bristol Waterworks Order 1929.	Confirmed by 1929 c.xxxiii.	Sections 15 and 16.
The Bristol Waterworks Order 1947.	S.I. 1947/1149.	Section 4 so far as relating to sections 74 to 78 of the Third Schedule to the Water Act 1945(7).
The Bristol Waterworks Order 1951.	S.I. 1951/2292.	Sections 2 and 6 to 12.

(7) [1945 c. 42.](#)

Title	Reference	Extent of repeal
The Bristol Waterworks (Clevedon) Order 1952.	S.I. 1952/2274 .	Sections 2, 5, 6, 8, 9, 11, 12 and 15 to 21.
The Bristol Waterworks Order 1954.	S.I. 1954/795 .	Sections 2, 5, 8 and 9.
The Bristol Waterworks Order 1956.	S.I. 1956/1262 .	The whole Order.
The Bristol Waterworks (Shepton Mallet) Order 1958.	S.I. 1958/2263 .	Sections 2, 5 and 7 to 13.
The Bristol Waterworks (West Gloucestershire) Order 1959.	S.I. 1959/999 .	Sections 2, 7 and 9 to 15.
The Bristol Waterworks (Weston-super-Mare) Order 1960.	S.I. 1960/1778 .	Section 4.
The Bristol Waterworks (Frome Rural) Order 1962.	S.I. 1962/528 .	Sections 2, 5 and 8.
The Bristol Waterworks Order 1964.	S.I. 1964/1062 .	The whole Order.
The Bristol Waterworks (Downside Abbey) Order 1965.	S.I. 1965/1771 .	Sections 3, 5, 7, 9 and 15.
The Bristol Waterworks Order 1966.	S.I. 1966/1372 .	The whole Order.
The Bristol Waterworks (Sodbury) Order 1967.	S.I. 1967/463 .	In section 3, subsections (1) and (2). Sections 5, 6 and 9.
The Bristol Waterworks Order 1970.	S.I. 1970/643 .	Sections 4 and 5.
The Bristol Waterworks Order 1971.	S.I. 1971/1053 .	The whole Order.
The Bristol Waterworks Order 1974.	S.I. 1974/1750 .	The whole Order.
The Bristol Waterworks Order 1978.	S.I. 1978/1249 .	The whole Order.
The Bristol Waterworks Order 1979.	S.I. 1979/1168 .	The whole Order.
The Bristol Waterworks Order 1987.	S.I. 1987/842 .	The whole Order.

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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 Bristol Waterworks Company that a memorandum and articles of association should have effect in substitution for provisions contained in the Company's local Acts and Orders (article 2). It also provides that the date on which those provisions cease to have effect is 12th November 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.