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STATUTORY INSTRUMENTS

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**1991 No. 2463**

**WATER, ENGLAND AND WALES**

**The South Staffordshire Waterworks Company  
(Constitution and Regulation) Order 1991**

*Made - - - - 28th October 1991*  
*Laid before Parliament 4th November 1991*  
*Coming into force - - 25th November 1991*

Whereas provision is made for the constitution and regulation of The South Staffordshire 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<sup>(1)</sup> (“the Act”):

And whereas the relevant 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 12th September 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his approval of the proposal by this Order that the local statutory provisions specified in Schedule 2 to this Order be repealed: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 South Staffordshire Waterworks Company (Constitution and Regulation) Order 1991 and shall come into force on 25th November 1991.

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<sup>(1)</sup> 1989 c. 15.

<sup>(2)</sup> See section 101(8) of the Water Act 1989.

<sup>(3)</sup> 1985 c. 6.

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(2) In this Order—

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

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

**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 25th 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 25th November 1991.

28th October 1991

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

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(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 South Staffordshire Water PLC and the Articles of Association of South Staffordshire Water PLC(6).

## SCHEDULE 2

Article 4

### CONSEQUENTIAL REPEALS

#### PART I

#### PROVISIONS OF ENACTMENTS REPEALED

Title	Reference	Extent of repeal
The South Staffordshire Waterworks Act 1853.	<a href="#">1853 c.cxxxiii.</a>	Section 2 so far as relating to the 1845 Act. Sections 6 to 10 and 12 to 21.
The South Staffordshire Waterworks Act 1857.	<a href="#">1857 c.cxxvi.</a>	Sections 17 and 18.
The South Staffordshire Waterworks Act 1864.	<a href="#">1864 c.lxxxix.</a>	Sections 22 to 28, 30 and 31.
The South Staffordshire Waterworks Act 1866.	<a href="#">1866 c.lix.</a>	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 25 and 28.
The South Staffordshire Waterworks Act 1875.	<a href="#">1875 c.clxxxvi.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 25 to 30 and 34 to 36.
The South Staffordshire Waterworks Act 1878.	<a href="#">1878 c.clxxi.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 26 to 31, 33, 36 and 37.
The South Staffordshire Waterworks Act 1893.	<a href="#">1893 c.xcii.</a>	Section 2 so far as relating to the 1863 Act. Sections 14 to 17, 22, 23, 25 to 34 and 44.
The South Staffordshire Waterworks Act 1909.	<a href="#">1909 c.xlix.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 49 to 53, 55, 56, 58, 59 and 62.
The South Staffordshire Waterworks Act 1913.	<a href="#">1913 c.xvii.</a>	Sections 20, 21 and 29.

(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
The South Staffordshire Waterworks Act 1915.	<a href="#">1915 c.lxx.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 32 to 35, 37, 38, 40, 43 to 46 and 54.
The South Staffordshire Waterworks Act 1922.	<a href="#">1922 c.lxxxii.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 54, 55, 57, 58, 60, 61, 65, 66, 68, 69 and 76 to 79.
The South Staffordshire Waterworks Act 1932.	<a href="#">1932 c.xxviii.</a>	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 66, 67, 69 to 73, 78 and 82 to 85.
The South Staffordshire Waterworks Act 1936.	<a href="#">1936 c.li.</a>	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 32 to 37. Section 38 save so far as relating to section 75 of the South Staffordshire Waterworks Act 1932(7). Sections 40 to 42.
The South Staffordshire Waterworks Act 1939.	<a href="#">1939 c.lxii.</a>	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 29 to 36.

## PART II

### PROVISIONS OF ORDERS REPEALED

Title	Reference	Extent of repeal
The South Staffordshire Waterworks Order 1901.	Confirmed by <a href="#">1901 c.clxiv.</a>	The whole Order.
The South Staffordshire Water (No. 2) Order 1949.	S.I. <a href="#">1949/1969.</a>	The whole Order.
The South Staffordshire Water Order 1953.	S.I. <a href="#">1953/1403.</a>	The whole Order.
The South Staffordshire Water (Financial Provisions) Order 1956.	S.I. <a href="#">1956/782.</a>	The whole Order.
The South Staffordshire Water Order 1957.	S.I. <a href="#">1957/1154.</a>	Section 3 so far as relating to sections 74 to 78 of the Third Schedule to the Water Act 1945(8).

(7) [1932 c.xxviii.](#)

(8) [1945 c. 42.](#)

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Title	Reference	Extent of repeal
The South Staffordshire Water (Financial Provisions) Order 1959.	S.I. <a href="#">1959/1692</a> .	The whole Order.
The South Staffordshire Water (Financial Provisions) Order 1961.	S.I. <a href="#">1961/760</a> .	The whole Order.
The South Staffordshire and Wolverhampton (River Severn) Order 1963.	S.I. <a href="#">1963/492</a> .	In section 3, subsections (2) and (3). Sections 15 to 17.
The South Staffordshire Water (Financial Provisions) Order 1967.	S.I. <a href="#">1967/522</a> .	The whole Order.
The South Staffordshire Water (Financial Provisions) Order 1970.	S.I. <a href="#">1970/1217</a> .	The whole Order.
The South Staffordshire Water (Financial Provisions) Order 1975.	S.I. <a href="#">1975/1773</a> .	The whole Order.
The South Staffordshire Water Order 1979.	S.I. <a href="#">1979/1369</a> .	The whole Order.
The South Staffordshire Water Order 1986.	S.I. <a href="#">1986/13</a> .	The whole Order, save so much of section 6 as relates to sections 37 and 39 of the South Staffordshire Waterworks Act 1939 <sup>(9)</sup> .

## 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 South Staffordshire 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

<sup>(9)</sup> [1939 c.lxii](#).

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provisions cease to have effect is 25th 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.