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STATUTORY INSTRUMENTS

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**1996 No. 713**

**WATER INDUSTRY, ENGLAND AND WALES**

**The Cambridge Water Company  
(Constitution and Regulation) Order 1996**

|                               |         |                        |
|-------------------------------|---------|------------------------|
| <i>Made</i>                   | - - - - | <i>10th March 1996</i> |
| <i>Laid before Parliament</i> |         | <i>11th March 1996</i> |
| <i>Coming into force</i>      | - -     | <i>1st April 1996</i>  |

Whereas provision is made for the constitution and regulation of the Cambridge Water Company (“the Company”) in local statutory provisions (“the relevant provisions”);

And whereas the Company is a statutory water company which holds an appointment as a water undertaker under Chapter I of Part II of the Water Industry Act 1991(1) :

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 15th February 1996 (“the special resolution”) proposed that provision contained in a memorandum and articles which are described in Schedule 1 to this Order, and 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 12(2) of the Statutory Water Companies Act 1991(4) (“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his approval of the proposal by this Order that the local statutory provisions specified in Schedule 2 to this Order be repealed: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 sections 12(1) and 14 of the Act, hereby makes the following Order:

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(1) 1991 c. 56.  
(2) See section 15(2) of the Statutory Water Companies Act 1991.  
(3) 1985 c. 6.  
(4) 1991 c. 58.

### **Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Cambridge Water Company (Constitution and Regulation) Order 1996 and shall come into force on 1st April 1996.

(2) In this Order—

“the 1845 Act” means the Companies Clauses Consolidation Act 1845<sup>(5)</sup>;

“the 1863 Act” means the Companies Clauses Act 1863<sup>(6)</sup>;

“the Company” means the Cambridge Water Company; and

“the relevant provisions” means the local statutory provisions referred to in the special resolution of the Company passed on 15th February 1996.

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

2. The proposal contained in the special resolution of the Company passed on 15th February 1996 is hereby approved.

### **Date on which memorandum and articles come into force etc.**

3. The date specified for the purposes of section 12(1) of the Act as the date on which the memorandum and articles described in Schedule 1 to this Order shall come into force and the relevant provisions shall cease to have effect is 1st April 1996.

### **Consequential provision**

4. The local statutory provisions specified in Schedule 2 to this Order are repealed to the extent indicated in that Schedule.

Signed by authority of the Secretary of State

Department of the Environment  
10th March 1996

*Ferrers*  
Minister of State,

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<sup>(5)</sup> 1845 c. 16.

<sup>(6)</sup> 1863 c. 118, amended by the Companies Clauses Consolidation Act 1869 (c. 48).

## SCHEDULE 1

### DOCUMENTS HAVING EFFECT AS MENTIONED IN SECTION 12(1)(b) OF THE STATUTORY WATER COMPANIES ACT 1991

The documents comprising the Memorandum of Association of Cambridge Water PLC and the Articles of Association of Cambridge Water PLC(7).

## SCHEDULE 2

Article 4

### CONSEQUENTIAL REPEALS

#### PART I

#### PROVISIONS OF ENACTMENTS REPEALED

| <i>Title</i>   | <i>Reference</i>               | <i>Extent of repeal</i>  |
|--|--------------------------------|--|
| The Cambridge University and Town Waterworks Act 1853. | <a href="#">1853 c. 23.</a>    | Section 1 so far as relating to the 1845 Act. Sections 4 to 8 and 14.  |
| The Cambridge University and Town Waterworks Act 1866. | <a href="#">1866 c.lxxxii.</a> | Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 5 to 8, 11 and 20.                     |
| The Cambridge University and Town Waterworks Act 1886. | <a href="#">1886 c.xciii.</a>  | Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 15, 19 to 21, 26, 27, 30 and 32.       |
| The Cambridge University and Town Waterworks Act 1910. | <a href="#">1910 c.cviii.</a>  | Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 13, 28, 30, 32, 35, 36, 38, 41 and 42. |
| The Cambridge University and Town Waterworks Act 1921. | <a href="#">1921 c.xxii.</a>   | Section 18.  |
| The Cambridge University and Town Waterworks Act 1934. | <a href="#">1934 c.xxv.</a>    | Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 6, 8 to 10, 13, 14, 17 to 27 and 41.   |

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

## PART II

### PROVISIONS OF ORDERS REPEALED

| <i>Title</i>                                 | <i>Reference</i>                 | <i>Extent of repeal</i>  |
|--|----------------------------------|--|
| The Cambridge Waterworks Order 1953.         | S.I. <a href="#">1953/965</a> .  | The whole Order.   |
| The Cambridge Waterworks Order 1959.         | S.I. <a href="#">1959/1131</a> . | Section 3. Section 4 so far as relating to sections 75 and 76 of the Third Schedule to the Water Act 1945 <sup>(8)</sup> . Sections 7, 8 and 11. |
| The Cambridge Waterworks Order 1961.         | S.I. <a href="#">1961/2192</a> . | Sections 5 to 9.   |
| The Cambridge Waterworks (No. 2) Order 1962. | S.I. <a href="#">1962/2130</a> . | The whole Order.   |
| The Cambridge Water Order 1967.              | S.I. <a href="#">1967/36</a> .   | The whole Order.   |
| The Cambridge Water Order 1972.              | S.I. <a href="#">1972/594</a> .  | The whole Order.   |
| The Cambridge Water Order 1976.              | S.I. <a href="#">1976/439</a> .  | The whole Order.   |
| The Cambridge Water (No. 2) Order 1978.      | S.I. <a href="#">1978/986</a> .  | The whole Order.   |
| The Cambridge Water Order 1987.              | S.I. <a href="#">1987/750</a> .  | The whole Order.   |

### EXPLANATORY NOTE

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

Section 12(1) of the Statutory Water Companies Act 1991 provides for the replacement of provisions relating to the constitution and regulation of a statutory water company contained in local legislation 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 Cambridge Water 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 the memorandum and articles of

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

association replace those provisions is 1st April 1996 (article 3) and for the repeal of the superseded provisions and for consequential repeals (article 4).

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