



## CHAPTER lxxvii.

An Act to confer further powers upon the North Metropolitan Electric Power Supply Company to provide for the vesting in, the said Company of the undertakings of the North Metropolitan Electrical Power Distribution Company Limited and the dissolution of that company and for other purposes.

A.D. 1922.

[4th August 1922.]

**W**HEREAS by the North Metropolitan Electric Power Supply Act 1900 the North Metropolitan Electric Power Supply Company (hereinafter referred to as "the Company") were incorporated and authorised to supply electrical energy in bulk within certain limits therein defined comprising portions of the counties of Middlesex Hertford and Essex :

And whereas by the further Acts mentioned in Part I. of the schedule to this Act the Company's limits of supply have been extended and the powers of the Company with reference to the supply of electrical energy have been enlarged and other powers have been conferred upon the Company :

And whereas by deeds of transfer approved by the Board of Trade the Company have acquired the undertakings authorised by the orders mentioned in Part II. of the schedule to this Act and as undertakers under those orders are authorised to distribute electrical energy for all public and private purposes within the several areas of supply stated in those orders and by the Acts

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A.D. 1922. relating to the Company they are empowered (by agreement and with the approval of the Electricity Commissioners) to acquire the undertakings authorised by other orders made under the Electricity (Supply) Acts 1882 to 1919 and relating to areas within or partly within and partly without or adjoining the Company's limits of supply :

And whereas the North Metropolitan Electrical Power Distribution Company Limited (hereinafter referred to as "the distribution company") is a company registered under the Companies Acts 1862 to 1898 and are carrying on as undertakers the orders mentioned in Part III. of the schedule to this Act and by those orders are authorised to supply electrical energy for all public and private purposes within the several areas of supply stated in those orders :

And whereas it is expedient that provision be made as in this Act contained with reference to the periodical revision of the prices and methods of charge for electrical energy supplied under the Acts and orders mentioned in the schedule to this Act and under orders authorising undertakings which are hereafter acquired by the Company :

And whereas the several areas of supply for the purposes of the orders carried on by the distribution company are situate within the Company's limits of supply and the whole of the energy distributed by the distribution company is purchased in bulk from the Company and the whole of the share and loan capital of the distribution company (consisting of 5,000 fully paid up shares of £10 each and £40,000 debentures) is held by or on behalf of the Company and it is expedient that the undertakings and the property of the distribution company be vested in the Company and that the distribution company be dissolved :

And whereas it is expedient that further powers be conferred upon the Company and that their powers of raising money be enlarged and extended and that further provisions with reference to the Company and their undertaking be enacted as by this Act provided :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :



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May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :— A.D. 1922.

1.—(1) This Act may be cited for all purposes as the North Metropolitan Electric Power Supply Act 1922. Short and collective titles.

(2) The North Metropolitan Electric Power Supply Acts 1900 to 1920 and this Act may together be cited as the North Metropolitan Electric Power Supply Acts 1900 to 1922.

2. The provisions of the Companies Clauses Consolidation Act 1845 and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts are (so far as applicable to the purposes of this Act and except where expressly varied by or inconsistent with this Act or the existing Acts) incorporated with and form part of this Act. Incorporation of Acts.

3. In this Act—

The words and expressions to which meanings are assigned by the Companies Clauses Consolidation Act 1845 the Electric Lighting Act 1882 or the schedule to the Electric Lighting (Clauses) Act 1899 have the same respective meanings unless there be something in the subject or context repugnant to such construction ;

“ The Company ” means the North Metropolitan Electric Power Supply Company ;

“ The existing Acts ” means the North Metropolitan Electric Power Supply Acts 1900 to 1920 ;

“ The Act of 1900 ” “ the Act of 1905 ” “ the Act of 1907 ” “ the Act of 1909 ” “ the Act of 1914 ” and “ the Act of 1920 ” respectively mean the North Metropolitan Electric Power Supply Acts of those respective years ;

“ Electric lighting order ” means a Provisional Order or special order granted under the Electricity (Supply) Acts 1882 to 1919 or any of those Acts ;

Inter-pretation.

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“ Authorised undertakers ” has the meaning given to that expression by the Act of 1900 ;

“ The distribution company ” means the North Metropolitan Electrical Power Distribution Company Limited ;

“ The distribution company’s undertaking ” means the several undertakings authorised by the orders mentioned in Part III of the schedule to this Act and all rights powers authorities privileges and obligations of the distribution company as undertakers for the purposes of those orders and all property both real and personal of or belonging or in any way attaching to or vested in the distribution company at the date of vesting ;

“ The date of vesting ” means the first day of January nineteen hundred and twenty-three or such earlier date as may on the application of the Company be approved by the Electricity Commissioners ;

“ The Company’s limits ” means the limits described in section 5 of the Act of 1900 as extended by section 3 of the Act of 1905 ;

“ The Minister ” means the Minister of Transport.

Revision of  
prices and  
methods of  
charge.

4.—(1) If either—

- (a) The Company ; or
- (b) Three or more authorised undertakers supplied by the Company ; or
- (c) A local authority within the Company’s limits ; or
- (d) Such number of consumers (not less than twenty) as the Minister considers sufficient having regard to the population of the Company’s limits ;

at any time after the passing of this Act make a representation to the Minister that the prices or methods of charge stated in the existing Acts or any of them ought to be altered the Minister after such inquiry as he may think fit may make an order altering those prices or methods of charge by varying the same or some of them or substituting other prices or methods of charge in lieu thereof Provided that the prices and methods of



charge prescribed by an order made under this subsection may be altered in like manner at any time after the expiration of any or every period of three years after they were last altered. A.D. 1922.

On and after such date as may be mentioned in an order made under this subsection and for the time being in force all the provisions of the existing Acts shall (subject to anything in any subsequent order so made) have effect as if the prices or methods of charge prescribed by the order had been stated in those Acts in lieu of the prices or methods of charge which have been altered by the order.

(2) If with respect to any of the electric lighting orders mentioned in the schedule to this Act or any electric lighting order authorising an undertaking which is acquired by the Company under the provisions of section 37 of the Act of 1920 either—

- (a) The Company or the distribution company as the case may be; or
- (b) Such number of consumers (not less than twenty) as the Minister considers sufficient having regard to the population of the area of supply for the purposes of the electric lighting order; or
- (c) The local authority;

at any time after the passing of this Act make a representation to the Minister that the prices or methods of charge stated in the electric lighting order or in any enactment incorporated therewith or in any deed transferring the undertaking authorised by or the powers of the electric lighting order to the Company or the distribution company or in any agreement relating to any such transfer or in any order of the Minister made prior to the passing of this Act and revising the prices stated in the electric lighting order or such deed or agreement as aforesaid ought to be altered the Minister after such inquiry as he may think fit may make an order altering those prices or methods of charge by varying the same or substituting other prices or methods of charge in lieu thereof and the prices and methods of charge as so altered shall have effect on and after such date as may be mentioned in the order of the Minister as if they had been stated in the electric lighting order or incorporated enactment or deed or agreement or revising order as the case may be:

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Provided that before making an order altering any prices or methods of charge which are stated in any such deed or agreement as aforesaid the Minister shall if objections to the alteration are made by the local authority and not withdrawn cause an inquiry to be held with reference to those objections :

Provided also that the prices and methods of charge prescribed by an order made under this subsection may be altered in like manner at any time after the expiration of any or every period of three years after they were last altered.

(3) Any method or methods of charge which may be prescribed by an order made under this section may be other than by the actual amount of electrical energy supplied or the electrical quantity contained in the supply and the Company or the distribution company (as the case may be) may charge by such method or methods accordingly.

(4) The provisions of this section shall have effect notwithstanding anything in the Electricity (Supply) Act 1922 and shall be in lieu of and shall supersede any provisions relating to the revision of prices or the methods of charge in or incorporated with any of the electric lighting orders mentioned in the schedule to this Act or in any electric lighting order authorising an undertaking which is acquired by the Company under the provisions of section 37 of the Act of 1920 or in any deed transferring the undertaking authorised by or the powers of any such electric lighting order to the Company or the distribution company or in any agreement relating to any such transfer.

(5) Section 32 of the Act of 1900 and section 19 of the Act of 1907 are hereby repealed.

Energy  
supplied for  
lighting  
purposes to  
be metered  
separately.

5. In any case where energy supplied by the Company to any consumer is used partly for lighting purposes and partly for purposes other than lighting the Company may require that the energy used for lighting purposes shall be measured by a separate meter and paid for at the price for the time being in force for energy supplied for lighting purposes within the district in which the consumer's premises are situate.

Vesting in  
Company of

6.—(1) As on and from the date of vesting the distribution company's undertaking shall by virtue of



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this Act be vested in the Company upon and subject to the terms and conditions of this Act and the Company shall by virtue of this Act but subject to the provisions of this Act become the undertakers for the purposes of the orders mentioned in Part III. of the schedule to this Act. A.D. 1922.  
distribution  
company's  
under-  
taking.

(2) As on and from the date of vesting the distribution company shall be by virtue of this Act dissolved and all the capital of the distribution company and all the debentures issued by them shall be by virtue of this Act cancelled and extinguished.

(3) If the date of vesting be earlier than the first day of January nineteen hundred and twenty-three the distribution company shall deliver to the Registrar of Joint Stock Companies a certificate signed by a director of that company recording the date of vesting as approved by the Electricity Commissioners.

7.—(1) If at the date of vesting any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing by or against or in favour of the distribution company the same shall not abate or be discontinued or be in anywise prejudicially affected by reason of the vesting in the Company of the distribution company's undertaking or of anything in this Act but the same may after the date of vesting be continued prosecuted and enforced by or against or in favour of the Company as and when it might have been continued prosecuted and enforced by or against or in favour of the distribution company if this Act had not been made but not further or otherwise. Provisions  
incident to  
vesting.

(2) Except as otherwise herein provided all contracts agreements conveyances deeds leases and other instruments affecting the distribution company and in force at the date of vesting shall as from that date be read and construed and be as binding and of as full force and effect against or in favour of the Company and may be enforced as fully and effectually as if instead of the distribution company the Company had been a party thereto or bound thereby or entitled to the benefit thereof.

(3) All rents rates and charges and other sums which at the date of vesting are due or payable or accruing due or payable to the distribution company shall be payable to and may be collected recovered and enforced

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A.D. 1922. — by the Company in the same manner and with and by the same benefits and processes as those with and by which the distribution company might have collected recovered and enforced the same and shall belong to the Company for their own benefit.

(4) The Company shall pay and discharge all debts liabilities and outgoings which shall be outstanding at or become payable or accrue due on or after the date of vesting in respect of the distribution company's undertaking.

(5) All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the distribution company shall after the date of vesting be admitted in evidence in respect of the same or the like matter for or against the Company.

Copy of  
Act to be  
registered.

8. The distribution company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the distribution company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the distribution company who knowingly and wilfully authorises such default shall incur a like penalty Every penalty under this section shall be recoverable summarily.

There shall be paid to the said registrar by the distribution company on such copy being registered the fee of five shillings.

Saving purchase rights  
of local  
authorities.

9. The vesting in the Company of the distribution company's undertaking under the foregoing provisions of this Act shall not take away or diminish any right from time to time belonging to the local authority of purchasing the undertaking or any part of the undertaking authorised by any of the orders mentioned in Part III. of the schedule to this Act including any lands buildings works materials and plant of the Company suitable to and used by them as part of the undertaking authorised by the order.

For protection of  
Hertfordshire County

10. Notwithstanding anything in this Act the following provisions shall in respect of each of the following undertakings namely (i) the undertaking authorised by



the Hertford Electric Lighting Order 1891 (ii) the under- A.D. 1922.  
 taking authorised by the Barnet Electric Lighting Council and  
 Order 1905 as extended by the Barnet Electric Lighting others.  
 (Extension) Order 1913 and (iii) the undertaking autho-  
 rised by the St. Alban Electric Lighting Order 1898 as  
 extended by the St. Albans Rural Electric Lighting  
 Order 1905 have effect as from the date of vesting  
 unless otherwise agreed in writing (that is to say):—

- (1) The provisions of section 44 of the Act of 1900  
 as amended and extended by subsection (5) of  
 section 12 of the Act of 1907 and of section 14  
 (1) (a) of the schedule to the Electric Lighting  
 (Clauses) Act 1899 shall extend and apply to  
 the exercise by the Company of any powers  
 rights or privileges conferred by any of the said  
 orders so far as the exercise thereof affects any  
 roads county bridges and approaches and other  
 property of the county council of Hertford or  
 repairable by or under the control of or belonging  
 to the council of any borough or urban or rural  
 district within the county of Hertford :
- (2) The Company shall keep separate accounts in  
 respect of each of the said undertakings which  
 accounts shall be kept in such manner as may  
 from time to time be prescribed by the Minister  
 under the Electric Lighting Act 1882 or any  
 Act amending the same for undertakers other  
 than local authorities and shall be examined and  
 audited in manner provided by section 6 of the  
 schedule to the Electric Lighting (Clauses) Act  
 1899 or any Act amending the same.

**11.** Section 19 of the Act of 1905 section 21 of the Power to  
 Act of 1909 section 17 of the Act of 1914 and section 10 borrow.  
 of the Act of 1920 which sections authorise the Company  
 to borrow on debenture or mortgage of their undertaking  
 shall have effect as if the words “one-half” were inserted  
 in each of those sections instead of the words “one-third  
 part.”

**12.—(1)** The Company may for the purposes of or Power to  
 in connexion with their undertaking raise money by issue short  
 the issue of notes or bonds of a currency of not less than term notes  
 five or more than ten years. &c.

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(2) The powers of raising moneys conferred upon the Company by this section and by section 35 (Company may incur temporary loans) of the Act of 1907 shall be in addition to any powers for the time being conferred upon them of borrowing on debenture or mortgage of the undertaking or raising moneys by the issue of debenture stock. Provided that the aggregate amount outstanding at any one time of the moneys raised under this section and the said section 35 shall not exceed five hundred thousand pounds.

Issue of  
redeemable  
preference  
capital and  
debenture  
stock.

**13.**—(1) If the Company desire to raise by the issue of preference shares or second preference shares or stock any capital which they are by the Act of 1920 authorised to raise or to issue any debenture stock under the powers of the existing Acts as amended by this Act they may create and issue such shares or stock as redeemable shares or stock on such terms and conditions as may be specified in a resolution of the Company passed at a special meeting convened for the purpose.

(2) If it is so provided in the resolution the Company may :—

- (i) Call in and pay off such shares or stock or any part thereof at any time before the date fixed for redemption ;
- (ii) Redeem such shares or stock or any part thereof either by paying off such shares or stock or by issuing to any shareholder or stockholder subject to his consent other shares or stock in substitution therefor and may for the purpose of providing money for paying off such shares or stock or providing substituted shares or stock create and issue new shares or stock (redeemable or irredeemable) or re-issue shares or stock originally created and issued as aforesaid so however that the creation and issue for that purpose of any particular class of shares or stock does not make the total nominal amount of such shares or stock exceed the amount of that class of shares or stock which the Company are for the time being authorised to create except during the necessary interval between the creation and issue of the new shares or stock and the redemption of the old shares or stock.



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(3) The Company shall not redeem out of revenue any redeemable shares or stock so created and issued as aforesaid. A.D. 1922.

14. If any money is payable to any mortgagee of the Company or to the holder of any debenture debenture stock note or security granted or issued by the Company who is a minor idiot or lunatic the receipt of the guardian or committee or receiver of his estate shall be a sufficient discharge to the Company. Receipt in case of persons non sui juris.

15. The directors may prepare put in force and from time to time modify alter or rescind a scheme or schemes (temporary or permanent) enabling the officers servants workmen and other employees of the Company (in this section called "employees") or any class or classes of such employees as may be defined in such scheme or schemes to participate in the profits of the Company's undertakings or some of those undertakings as part of the terms of remuneration for the services of any such employee. Profit sharing.

16. Any expenses reasonably incurred by the Company in reconnecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Company in like manner as expenses lawfully incurred by them in such cutting off or disconnecting. Power to recover charge for reconnection.

17. The costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Costs of Act.

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The SCHEDULE referred to in the  
foregoing Act.

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