

[20 & 21 GEO. 5.] *Shropshire* [Ch. clxxxix.]
Worcestershire and Staffordshire Electric Power Act, 1930.



CHAPTER clxxxix.

An Act to confer further powers on the Shropshire
Worcestershire and Staffordshire Electric Power
Company and for other purposes. A.D. 1930.

[1st August 1930.]

WHEREAS the Shropshire Worcestershire and Staffordshire Electric Power Company (hereinafter referred to as "the Company") were incorporated by the Shropshire and Worcestershire Electric Power Act 1903 under the name of the Shropshire and Worcestershire Electric Power Company and were by that Act empowered to supply electricity to authorised undertakers and to persons requiring a supply for power within an area of supply comprising the counties of Salop and Worcester :

And whereas by subsequent Acts the name of the Company was changed to the Shropshire Worcestershire and Staffordshire Electric Power Company and the area of supply was extended so as to include parts of the counties of Stafford Warwick Oxford and Gloucester and further powers were conferred upon the Company :

And whereas the Company are authorised undertakers under the following Orders granted or made in terms of the Electricity (Supply) Acts 1882 to 1926 or some or one of the said Acts :—

The Dudley Corporation Electric Lighting Order
1897 ;

[Price 8d. Net.]

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The Smethwick Electric Lighting Orders 1898 and 1913;

The Redditch Electric Lighting Order 1897;

The Oldbury Electric Lighting Order 1898;

The Church Stretton Electric Lighting Order 1916;

The North-East Worcestershire Electricity Special Order 1923;

The West Midlands Electricity District Order 1925;

The Avon Valley Electricity Special Order 1926;

The Ludlow Electricity Special Order 1927;

The Bromyard and Ledbury Rural Electricity Special Order 1929:

And whereas under and by virtue of the Shropshire Worcestershire and Staffordshire Electric Power Acts 1903 to 1928 the authorised capital of the Company is two million five hundred thousand pounds which may be raised by the issue of ordinary shares or stock or to the extent in the said Acts mentioned by preference shares or stock and the Company are authorised to raise by borrowing on mortgage of their undertaking or by the creation and issue of debenture stock any sum or sums of money not exceeding in the whole two million one hundred and twenty-five thousand pounds:

And whereas the Company have raised capital to the amount of two million two hundred and fifty-five thousand pounds by the creation and issue of one million two hundred thousand preference shares of one pound each three hundred thousand "A" ordinary shares of one pound each and seven hundred and fifty-five thousand "B" ordinary shares of one pound each:

And whereas the issued loan capital of the Company consists of six hundred and thirty-six thousand six hundred and forty-five pounds five and a half per centum debenture stock and nine hundred and nine thousand five hundred and thirty pounds loan secured by mortgage of their undertaking:

And whereas the Shropshire Worcestershire & Staffordshire Electric Power Development Company Limited (hereinafter referred to as "the Development Company") are the undertakers under the Halesowen Electric Lighting Order 1908 for the area of supply in the said Order mentioned which area is in the area of supply of the Company:

And whereas the Company own ten thousand shares of one pound each (being the whole of the capital) of the Development Company and hold debentures of the Development Company of the nominal value of forty-five thousand pounds (being the whole of the debentures issued by the Development Company) and the Development Company are also indebted to the Company in the sum of thirty-seven thousand and seventy-one pounds being moneys advanced by the Company to the Development Company and it is expedient that the undertaking authorised by the said Order should be transferred to and vested in the Company in manner provided by this Act :

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And whereas it is expedient that the area of supply of the Company should be further extended :

And whereas it is expedient that provision should be made with regard to standard price and sliding scale of dividends as by this Act provided :

And whereas the demand for electricity within the districts supplied by the Company is large and rapidly increasing and it is expedient that the Company in order to meet such increased demand in the existing area and the anticipated demand in the extended area should be authorised to raise additional capital and that such other provisions as are in this Act contained in relation to the capital of the Company should be made :

And whereas it is expedient that the further powers in this Act contained should be conferred upon the Company :

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

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 (that is to say) :—

1. This Act may be cited as the Shropshire Worcester- Short and
shire and Staffordshire Electric Power Act 1930 collective
and the Shropshire Worcester- Staffordshire titles.

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A.D. 1930. — Electric Power Acts 1903 to 1928 and this Act may be cited together as the Shropshire Worcestershire and Staffordshire Electric Power Acts 1903 to 1930.

Incorporation of Acts.

2. The Companies Clauses Consolidation Act 1845 (except sections 38 and 40 thereof) and Part I (relating to cancellation and surrender of shares) Part II (relating to additional capital) except the provisions thereof relating to the rate of dividend on preference capital and Part III (relating to debenture stock) except sections 22 32 and 34 thereof of the Companies Clauses Act 1863 as amended by subsequent Acts (so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act) are subject to the provisions of this Act hereby incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words terms and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act unless the context otherwise requires—

“ the Company ” means the Shropshire Worcestershire and Staffordshire Electric Power Company ;

“ the Act of 1903 ” means the Shropshire and Worcestershire Electric Power Act 1903 ;

“ the Act of 1905 ” “ the Act of 1906 ” “ the Act of 1914 ” “ the Act of 1916 ” “ the Act of 1918 ” “ the Act of 1919 ” “ the Act of 1923 ” “ the Act of 1926 ” and “ the Act of 1928 ” respectively mean the Shropshire Worcestershire and Staffordshire Electric Power Acts of those respective years ;

“ the Acts of 1903 to 1928 ” means the Act of 1903 the Act of 1905 the Act of 1906 the Act of 1914 the Act of 1916 the Act of 1918 the Act of 1919 the Act of 1923 the Act of 1926 and the Act of 1928 ;

“ the existing area of supply ” means the area of supply of the Company under the Acts of 1903 to 1928 ;

“ the added area of supply ” means the area added by this Act to the existing area of supply; A.D. 1930.

“ the area of supply ” means the area for the time being of the Company for the supply of electrical energy or power;

“ the directors ” means the directors of the Company;

“ the undertaking ” means the undertaking of the Company for the time being authorised;

“ the Development Company ” means the Shropshire Worcestershire & Staffordshire Electric Power Development Company Limited; and

“ subsidiary company ” means a company of whose shares more than fifty per centum are held by the Company either in their own name or in the names of their nominees.

4.—(1) From and after the passing of this Act the existing area of supply shall be extended so as to include the areas which are described in the schedule to this Act and the provisions of the Acts of 1903 to 1928 and of the Acts incorporated therewith so far as the same are respectively in force at the passing of this Act shall subject to the provisions of this Act extend and apply to the added area of supply and to the supply of electrical energy or power therein but nothing in this section shall be deemed to extend or apply to the added area of supply or any part thereof any of the provisions of section 35 (General powers of distribution in part of area of supply) of the Act of 1923 or of section 7 (General powers of distribution in part of area of supply) of the Act of 1928. Extension of area of supply.

(2) The Company shall within six months from the date of the passing of this Act deposit with the Electricity Commissioners a map of the added area of supply.

5. Notwithstanding anything in this Act the Company shall not without the consent of the Central Electricity Board supply electricity in bulk in any part of the added area of supply if that board are able and willing to afford such supply on equivalent terms: As to consent of Central Electricity Board.

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Provided that this section shall not apply to a supply of electricity in bulk by the Company to any subsidiary company for the time being supplying and distributing or authorised to supply and distribute electricity within any part of the added area of supply.

For protection of Stratford-on-Avon Electricity Company Limited.

6. Notwithstanding anything contained in section 51 (Limitation of powers) of the Act of 1903 the Company shall not without the consent of the Stratford-on-Avon Electricity Company Limited supply energy in the area of supply authorised by the Stratford-upon-Avon Electric Lighting Orders 1901 and 1905.

For protection of Ledbury Electric Supply Company Limited.

7. Notwithstanding anything contained in section 51 (Limitation of powers) of the Act of 1903 the Company shall not without the consent of the Ledbury Electric Supply Company Limited supply energy in the area of supply authorised by the Ledbury Electric Lighting Order 1914.

For protection of Herefordshire County Council.

8. The provisions of section 11 (For protection of county councils of Gloucester Oxford and Warwick and other local authorities) of the Act of 1928 shall extend and apply for the protection of the Herefordshire County Council with respect to the exercise by the Company of any of the powers of this Act in or affecting any bridge or highway vested in or repairable by that county council as if the said section with any necessary modifications were re-enacted in this Act with respect thereto save that the said section as so applied and extended shall be construed and have effect as if the words "and of sections 6 to 12 (inclusive) of the Gasworks Clauses Act 1847 as incorporated with the Electric Lighting Act 1882" were omitted therefrom.

For protection of London Midland and Scottish Railway Company.

9. For the protection of the London Midland and Scottish Railway Company (in this section referred to as "the railway company") the following provisions shall unless otherwise agreed between the Company and the railway company have effect in relation to any powers conferred upon the Company by this Act (that is to say):—

- (1) Section 20 of the schedule to the Electric Lighting (Clauses) Act 1899 shall in its application to the Company have effect as if after the words

“ electric signalling communication ” wherever they occur there were inserted the words “ or electrical control of railways of a railway company ” : A.D. 1930.

(2) (i) If having regard to the proposed position of any electric lines of the Company in relation to the position of the works of the railway company at any point where electric lines of the Company will be constructed over or under any railway of the railway company it becomes advisable in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal wires or apparatus of the railway company should be altered the railway company may execute any works reasonably necessary for such alteration and the reasonable expense of executing those works shall be borne by the Company ;

(ii) If the railway company at any time or times hereafter under any statutory powers in that behalf existing on the first day of January nineteen hundred and thirty require (of which they shall be the sole judges) to widen alter reconstruct or repair their existing works or to construct any additional or other works in or upon or in connection with the railway of the railway company upon across or over or under which any apparatus of the Company may have been constructed or laid under the powers of this Act or to adapt their railway or any part or parts thereof for working by electrical power or if at any time or times hereafter a bridge repairable in whole or in part by the railway company is constructed in substitution for a level crossing upon across or under which any apparatus of the Company may have been so constructed or laid the Company shall on receipt of fourteen days' notice in writing under the hand of the secretary to the railway company divert alter support or carry (so far only as may be reasonably necessary) such apparatus across over or under the railway of the railway company at any other point or otherwise deal with the same in as convenient a manner as circumstances

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will admit and to the reasonable satisfaction of the chief engineer of the railway company and the railway company shall not be liable to pay compensation in respect of such diversion alteration supporting carrying or dealing with such apparatus or other works Provided always that if the Company shall fail or neglect to carry out or complete the same to such satisfaction as aforesaid within a reasonable time the railway company may themselves carry out or may complete the same;

(iii) (a) Any additional expense which the railway company may reasonably and properly incur in widening altering reconstructing or repairing their railway (under any statutory powers in that behalf existing on the first day of January nineteen hundred and thirty) or in adapting their railway for working by electrical power by reason of the existence of any apparatus of the Company placed or laid under the powers of this Act upon across over or under the same or occasioned by any such failure neglect or delay as is referred to in paragraph (ii) of subsection (2) of this section shall be paid by the Company;

(b) The Company shall bear and on demand pay to the railway company all reasonable costs of watching lighting and protection of the railway of the railway company with reference to and during the construction and repair under the powers of this Act of any works of the Company affecting such railway;

(iv) The Company shall give to the railway company notice in writing of any application to be made by the Company to the Minister under section 10 (b) of the schedule to the Electric Lighting (Clauses) Act 1899 or under section 21 of the Electricity (Supply) Act 1919 or under this Act for the consent of the Minister to the placing of any electric lines above ground over any street or over or under any bridge owned or repairable by the railway company:

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(3) (i) In laying down or executing or in effecting the repairs and renewals of any electric lines or other works of the Company upon across over under or in any way affecting the railways lands or property belonging to the railway company or used or occupied by them for the purposes of their undertaking or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence if the same be given and to the reasonable satisfaction of the principal engineer of the railway company according to plans to be submitted to and in such manner as shall be previously reasonably approved by him and in all things by and at the expense of the Company Provided that if the said engineer shall not express his disapproval of such plans within twenty-one days from the submission thereof he shall be deemed to have approved thereof;

(ii) The Company shall restore and make good the roads over any bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all the works matters and things aforesaid shall be constructed executed and done so as not to cause any avoidable injury to the railways bridges level crossings approaches viaducts stations works lands or property of the railway company or interruption to the passage or conduct of traffic over such railways or at any station thereon;

(iii) If any such injury or interruption as aforesaid shall arise from or be in any way owing to any of the acts operations matters and things aforesaid the Company shall make compensation in respect thereof to the railway company :

(4) Any dispute or difference which may arise between the railway company and the Company with reference to the provisions of this section or in any way arising thereout or as to any

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works to be carried out in pursuance thereof shall failing agreement be settled by arbitration by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the Arbitration Act 1889 shall apply to any such arbitration.

Additional
capital.

10.—(1) The Company may subject to the provisions of Part II of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole one million pounds nominal capital by the issue at their option of new ordinary or preferred ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any shares of less nominal value than one pound nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof Provided always that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

(2) The capital and loan capital or either of them of the Company may from time to time be further increased to such extent as may be authorised by a Special Order or Orders made by the Electricity Commissioners and confirmed by the Minister of Transport in accordance with the provisions of the Electricity (Supply) Acts 1882 to 1928 and the Company are hereby authorised to make application for and the Electricity Commissioners to make and the said Minister to confirm such Order accordingly Provided that a Special Order made in pursuance of the powers conferred by this section shall be laid before each House of Parliament and shall not come into force unless and until approved either with or without modifications by a resolution passed by each such House.

Incidents
of new
capital.

11.—(1) Except as otherwise provided by this Act or the resolution creating the same the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the

same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the capital which the Company were authorised to raise by the Acts of 1903 to 1928 of the same class or description and the new shares or stock were shares or stock in that capital. A.D. 1930.
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(2) Any shares or stock created by the Company under this Act or under the Acts of 1903 to 1928 and not being of the same class or description as any shares or stock in the capital of the Company existing at the passing of this Act may be created and issued with such priorities as to capital and with such fixed fluctuating contingent preferential perpetual terminable deferred or other dividend or interest of such rate or amount (limited or unlimited) and the holders thereof respectively shall be entitled and subject to such rights of voting (if any) and such other powers rights privileges and liabilities whether as to capital or dividend as the Company may determine Provided that any preference assigned to any shares or stock so issued shall not affect any guarantee or any preference or priority in the payment of dividend or interest on any shares or stock that may have been created and issued by the Company under any of the Acts of 1903 to 1928 or that may be otherwise lawfully subsisting.

(3) The provisions of section 22 (As to special classes of shares and securities) of the Act of 1928 shall extend and apply as if the capital of the Company therein referred to included capital authorised by this Act.

12. The capital in new shares or stock created under the powers of this Act shall form part of the capital of the Company. New shares or stock to form part of capital of Company.

13.—(1) The directors may without any further or other authority than is given by this section and at such times in such manner and on such terms and conditions as they may think fit but as regards debenture stock subject to the provisions of section 23 (Debenture stock) of the Act of 1903 raise for the purposes of the Acts of 1903 to 1928 and this Act and the general purposes of the undertaking either at their option by borrowing on mortgage of the undertaking or by the creation and issue of debenture stock of the same or different classes and with the same or different rights of priority or other Power to borrow.

A.D. 1930. — rights or partly by either of such means any sum or sums of money not exceeding in the whole five hundred thousand pounds.

(2) Notice of the effect of this enactment shall be endorsed on any mortgage or debenture stock certificate issued after the passing of this Act.

Borrowing
in respect of
authorised
but unissued
capital.

14.—(1) Notwithstanding anything in the Acts of 1903 to 1928 the directors may grant or issue in different classes and subject to different conditions and with different rights of priority or other rights any mortgages or debenture stock authorised by this Act and section 23 (Debenture stock) of the Act of 1903 shall be read and have effect accordingly.

(2) Notice of the effect of this enactment shall be endorsed on any mortgage or debenture stock certificate issued under the powers of this Act.

Exercise of
financial
powers by
directors.

15. Notwithstanding anything in any Act contained the directors may from time to time by virtue of this section and without further or other sanction or authority exercise any powers of borrowing and re-borrowing on mortgage bond or otherwise and of creating and issuing mortgages or debenture stock for the time being vested in the Company and section 39 (Power to raise money on mortgage or by debenture stock) of the Act of 1918 and section 11 (Power to raise money on mortgage or by debenture stock) of the Act of 1919 shall be deemed to have enabled the directors to raise any such sums of money as are mentioned in those sections respectively by borrowing or by the issue of debenture stock and to have conferred upon them all powers necessary for that purpose.

Priority of
existing
mortgages
and debenture
stock.

16. All mortgages or debenture stock granted or issued by the Company in pursuance of the powers of the Acts of 1903 to 1928 and outstanding at the date of the passing of this Act shall during the continuance of such mortgages or debenture stock and subject to the provisions of the Acts under which or the terms under which such mortgages or debenture stock were respectively granted or issued have priority over any mortgages or debenture stock granted or issued by virtue of this Act.

17. The provisions of subsection (1) of section 45 (Issue of redeemable preference shares and debenture stock) of the Act of 1923 shall extend and apply to the capital which the Company are authorised by this Act to raise by the issue of preference shares or debenture stock.

Issue of redeemable preference shares and debenture stock.

18. For the purpose of determining the amount which may from time to time be raised by the Company by the creation and issue of ordinary preferred ordinary or preference shares or stock or mortgages or debenture stock or by the borrowing on mortgage bond or otherwise any shares or stock redeemed by the Company in pursuance of any powers of the Company in relation to the redemption of preference shares or stock or mortgages or debenture stock shall after the redemption thereof be deemed not to have been created and issued.

As to redeemed capital.

19. Section 29 (Appointment of receiver) of the Act of 1928 is hereby repealed but subject and without prejudice to any appointment of a receiver or proceeding taken under or by virtue of the provisions thereof and in force or pending at the date of the passing of this Act.

Appointment of receiver.

The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

20.—(1) All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied only to the purposes of the Acts of 1903 to 1928 and this Act and the general purposes of the undertaking being in every case purposes to which capital is properly applicable.

Application of moneys.

(2) The Company may apply to the purposes of this Act any moneys which they have raised or may hereafter raise under the Acts of 1903 to 1928 and which may not be required for the purposes for which the same were authorised to be raised.

21. If any money is payable to a shareholder or stockholder or mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or

Receipt in case of persons not sui juris.

A.D. 1930. — committee or receiver of his estate shall be a sufficient discharge to the Company.

Power to
pay interest
on shares
out of
capital.

22.—(1) Notwithstanding anything in the Acts of 1903 to 1928 or the Acts incorporated therewith the Company may out of any money which the Company may from time to time be authorised by Act or Special Order to raise pay and charge to capital account interest at such rate not exceeding seven and a half per centum per annum as the directors may determine to any holder of any shares in the capital of the Company on the amount from time to time paid up on such shares held by him from the respective times of such payments until the expiration of five years from the date or respective dates of issue of the said shares or such less period as the directors may determine but subject always to the conditions hereinafter stated (that is to say):—

- (a) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear;
- (b) The aggregate amount to be so paid for interest shall not exceed sixty-two thousand five hundred pounds;
- (c) Notice that the Company have power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company issued or published by or on behalf of the Company after the passing of this Act inviting subscriptions for any shares with respect to which the directors may have determined that such interest shall be paid and in every certificate of such shares;
- (d) The yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section.

(2) Save as set forth in subsection (1) of this section and except as may be otherwise expressly provided by the Acts of 1903 to 1928 or this Act no interest shall be paid out of any share or loan capital which the Company are by the Acts of 1903 to 1928 and this Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing

in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845. A.D. 1930.
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23.—(1) Notwithstanding anything in the Acts of 1903 to 1928 or the Acts incorporated therewith the Company may from time to time be authorised by Act or Special Order to raise pay and charge to capital account interest at such rate not exceeding seven and a half per centum per annum as the directors may determine on the amount of any moneys borrowed or raised on mortgage or debenture stock granted or issued by the Company until the expiration of five years from the date or respective dates of such borrowing or the granting or issue of such mortgage or debenture stock. Power to
pay interest
on borrowed
money out
of capital.

(2) The aggregate amount to be so paid for interest shall not exceed one hundred and twenty-five thousand pounds.

24.—(1) As on and from the first day of January nineteen hundred and thirty the undertaking authorised by the Halesowen Electric Lighting Order 1908 shall by virtue of this Act be transferred to and vested in the Company and the Company shall by virtue of this Act be the undertakers for the purposes of the said Order. Transfer of
Halesowen
under-
taking.

(2) The consideration for the transfer of the said undertaking shall be a sum of eighty-two thousand and seventy-one pounds.

(3) The said consideration shall be met and paid by the cancellation and extinguishment by virtue of this Act as from the said first day of January of all debentures issued by the Development Company and held by the Company amounting to forty-five thousand pounds and of loans made to the Development Company by the Company and outstanding at the said date amounting to thirty-seven thousand and seventy-one pounds.

(4) Any such debentures so cancelled and extinguished shall for the purposes of section 75 of the Companies Act 1929 be taken to have been redeemed.

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Provisions
incident to
transfer.

25.—(1) If at the date of the passing of this Act 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 Development Company in respect of the undertaking of the Development Company under the said Order of 1908 the same shall not abate or be discontinued or be in anywise prejudicially affected by reason of the vesting in the Company of the undertaking of the Development Company or of anything in this Act but the same may after the said date 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 Development Company if this Act had not been passed but not further or otherwise.

(2) Except as otherwise herein provided all contracts agreements conveyances deeds leases and other instruments affecting the Development Company in respect of their undertaking under the said Order and in force at the date of the passing of this Act 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 Development 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 on or after the said first day of January were or have become due or payable or accruing due or payable to the Development Company and which at the date of the passing of this Act have not been paid shall be payable to and may be collected recovered and enforced by the Company in the same manner and with and by the same benefits and processes as those with and by which the Development 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 became payable or accrued due on or shall become payable or accrue due after the said first day of January in respect of the undertaking of the Development Company and which at the date of the passing of this Act have not been discharged.

(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 Development Company shall after the passing thereof be admitted in evidence in respect of the same or the like matter for or against the Company. A.D. 1930.

26. The Company shall deliver to the Registrar of 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 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 Company who knowingly and wilfully authorises such default shall incur a like penalty. Every penalty under this section shall be recoverable summarily. Copy of Act to be registered.

There shall be paid to the said registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Act 1929 on registration of any document other than a memorandum of association or the abstract required to be delivered to the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up in England.

27. The vesting in the Company of the undertaking of the Development Company 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 the Halesowen Electric Lighting Order 1908 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 said Order. Saving purchase rights of local authorities.

28.—(1) Subsections (2) and (3) of section 58 (Relation of price to dividend) of the Act of 1903 are hereby revived and the said section 58 shall apply to the Company and the undertaking accordingly. Standard price.

(2) For the purposes of section 31 of the Electricity (Supply) Act 1926 this Act shall be deemed to be a special Act passed before the passing of the said Act of 1926.

(3) Section 21 (As to dividends) of the Act of 1928 is hereby repealed.

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Extending
powers of
supply in
bulk.

29.—(1) The powers conferred upon the Company by section 52 (Agreements with contiguous authorised undertakers for supply of energy) of the Act of 1906 as amended by section 20 (Extending powers of supply in bulk) of the Act of 1926 shall extend to enable the Company with the approval of the Electricity Commissioners to enter into and carry into effect such arrangements and agreements as are referred to in that section with any company body or person authorised to supply or supplying electricity within any county which is contiguous to—

- (a) the area of supply under any Provisional Order or Special Order made under the Electricity (Supply) Acts 1882 to 1928 for which the Company are for the time being the undertakers; or
- (b) the area of supply for the purposes of any undertaking which is for the time being managed by the Company :

Provided that no supplies of electricity shall be afforded under the powers of this section—

- (i) within the area of supply of a power company or the district of a joint electricity authority without the consent of such power company or joint electricity authority as the case may be; or
- (ii) within the area of supply of an authorised undertaker without the consent of such authorised undertaker; or
- (iii) within any area (other than an area in which the Company or any subsidiary company are for the time being supplying and distributing or authorised to supply and distribute electricity) without the consent of the Central Electricity Board if that board are able and willing to afford such supply on equivalent terms.

(2) Nothing in this section shall confer upon the Company any powers of breaking up any street.

For pro-
tection of
Metro-
politan

30. For the protection of the Metropolitan Electric Supply Company Limited (in this section referred to as “the Metropolitan Company”) the following provisions

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shall unless otherwise agreed in writing between the Metropolitan Company and the Company have effect (that is to say) :—

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Electric
Supply
Company
Limited.

Nothing in the Shropshire Worcestershire and Staffordshire Electric Power Acts 1903 to 1930 shall empower the Company to supply electricity to any authorised undertakers to whom the Metropolitan Company are supplying or empowered to supply electricity under the Metropolitan Electric Supply Company (Various Powers) Act 1905 and the Metropolitan Electric Supply Company Act 1906 or either of those Acts.

31. Nothing in this Act shall confer upon the Company any powers which would not have been exercisable by them if this Act had not been passed of supplying electricity within or for use within the West Midlands electricity district constituted by the West Midlands Electricity District Order 1925 except with the consent of the West Midlands Joint Electricity Authority.

For pro-
tection of
West Mid-
lands Joint
Electricity
Authority.

32. The provisions of section 16 of the Electricity (Supply) Act 1919 as modified and set forth in the Fourth Schedule to the Electricity (Supply) Act 1926 shall extend and apply in the case of a generating station which has been closed or the working or use of which has been restricted in consequence of any arrangement or agreement entered into under the provisions of the section of this Act of which the marginal note is "Extending powers of supply in bulk" as if such closing or restriction were a closing of or a restriction on the working or use of a generating station imposed under or in consequence of the said Act of 1926.

Compensa-
tion for
deprivation
of employ-
ment.

33. If any director of the Company shall devote to the business of the Company either his whole time and attention or more of his time and attention than in the opinion of the directors of the Company would usually be so devoted by a person holding such office or shall undertake or perform any duties or services other than those which in the opinion of such directors would usually be undertaken or performed by a person holding such office or shall be called upon to perform and shall perform extra services for any of the purposes of the Company then and in any of such cases the directors of the Company may remunerate the director so doing either

Remunera-
tion of
directors
for special
services.

A.D. 1930. — by a fixed sum annual or otherwise or in such other manner as shall be determined by the said directors and such remuneration may at the discretion of the directors be either in addition to or in substitution for all or any part of any other remuneration to which such director may be entitled :

Provided that the amount of such remuneration shall be disclosed in the next annual accounts of the Company.

As to
addresses
of share-
holders or
debenture
stock
holders
abroad.

34. Any registered holder of shares or stock or debenture stock of the Company whose address is not in Great Britain shall from time to time name an address within Great Britain which shall for the purposes of the Company be deemed to be the address of the shareholder stockholder or debenture stock holder and shall be entered in the shareholders' address book or the register of debenture stock kept by the Company in pursuance of section 10 of the Companies Clauses Consolidation Act 1845 and section 28 of the Companies Clauses Act 1863 respectively and it shall not be obligatory on the Company to send any notice to any such shareholder stockholder or debenture stock holder otherwise than to an address so named.

Repeal.

35. The following sections of the Act of 1923 are hereby repealed (that is to say) :—

Section 42 (Power to pay interest on shares out of capital);

Section 43 (Power to pay interest on borrowed money out of capital);

Section 44 (Provisions as to payment of interest out of capital).

Costs of
Act.

36. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

[20 & 21 GEO. 5.] *Shropshire* [Ch. clxxxix.]
Worcestershire and Staffordshire Electric Power Act, 1930.

The SCHEDULE referred to in the
foregoing Act.

A.D. 1930.

THE ADDED AREA OF SUPPLY.

In the county of Warwick—

The borough of Stratford-upon-Avon.

In the county of Hereford—

The urban districts of Bromyard and Ledbury.

The rural districts of Bromyard and Ledbury.

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