



## CHAPTER xxvi.

An Act to incorporate and confer powers on the      A.D. 1929.  
Romford Gas Company.      [26th July 1929.]

**W**HEREAS the Romford Gas and Coke Company were formed by a deed of settlement dated the twenty-fourth day of February one thousand eight hundred and forty-seven and were registered under that name pursuant to the Act 7 & 8 Vict. cap. 110 for the purpose of lighting the town of Romford with and the manufacturing of gas and were re-registered under the same name under the Joint Stock Companies Act 1856 :

And whereas the said Company were on the thirtieth day of October one thousand eight hundred and seventy-four incorporated under the Companies Act 1862 under the name of the Romford Gas and Coke Company Limited (hereinafter referred to as "the Limited Company") :

And whereas by the Orders specified in the First Schedule to this Act the Limited Company were authorised to supply gas within limits of supply which comprised the areas now constituting the urban districts of Romford and Hornchurch and the parishes of Upminster and Noak Hill in the rural district of Romford all in the county of Essex and other powers were conferred upon the Limited Company including powers of manufacturing and storing gas and working up converting and storing residual products or of storing gas on the lands described in the Second Schedule to this Act :

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And whereas under the provisions of the said Orders the amount of the share capital of the Limited Company for the purposes of their undertaking is limited to two hundred and twenty thousand pounds and the amount of money to be borrowed by the Limited Company and secured by mortgage of their undertaking is limited to one-half of the amount of the capital of the Limited Company for the purposes of their said undertaking actually raised by the issue of shares or stock including any premium obtained on the sale of such shares or stock :

And whereas the following is a statement of the share capital and loan capital of the Limited Company created and issued or raised :—

## SHARE CAPITAL.

Description of shares.	Standard dividend subject to sliding scale or preferential dividend.	Nominal amount of shares.	Total paid up.	Premiums.
	%	£	£	£ s. d.
Original shares -	10	5	14,000	—
B shares -	7	5	40,925	23,726 2 3
Redeemable preference shares.	6	5	40,705	141 5 10
Preference shares -	5½	5	14,220	18 5 0
			£109,850	£23,885 13 1

## LOAN CAPITAL.

Description of Security.	Rate of Interest.	Amount Borrowed.	Premium.
	%	£	£ s. d.
Debenture bonds -	4	17,000	—
Debenture bonds -	4½	8,400	53 17 9
Debenture bonds -	5	41,400	—
		66,800	53 17 9

And whereas by virtue of the Romford Gas (Charges) Order 1921 made under the Gas Regulation Act 1920

the charges made by the Limited Company for the supply of gas are based on the heat value of the gas so supplied by them and the standard prices in respect of gas supplied by the Limited Company are seventeen pence per therm for gas supplied to consumers within a circle having for its centre the middle point of the main entrance to the works of the Limited Company as existing at the date of commencement of the Romford Gas Order 1874 and a radius of one mile and seventeen decimal six pence per therm for gas supplied to consumers beyond such circle :

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And whereas the said works of the Limited Company have been discontinued and the central point of the said circle is now represented by a point in the south-western side of South Street in the urban district of Romford two hundred and thirteen feet measured in a north-westerly direction from the north-western side of the bridge carrying the London and North Eastern Railway over South Street :

And whereas under the said Orders the dividends from time to time payable on the ordinary capital of the Company must fall below or may exceed the standard rates of dividend of ten per centum and seven per centum per annum respectively under a sliding scale applicable to the Limited Company according as the prices from time to time charged by the Limited Company for gas sold by them are above or below the standard price :

And whereas it is expedient that the Limited Company should be dissolved and re-incorporated as provided by this Act and that the powers contained in this Act should be conferred upon the Company incorporated by this Act :

And whereas it is expedient that the provisions contained in this Act relating to the application of the profits of the Company incorporated by this Act should be made :

And whereas the objects aforesaid cannot be attained 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

A.D. 1929. — this present Parliament assembled and by the authority of the same as follows (that is to say) :—

## PART I.

## PRELIMINARY.

Short title. 1. This Act may be cited as the Romford Gas Act 1929.

Act divided into Parts. 2. This Act is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—Incorporation of Company.

Part III.—Capital &c.

Part IV.—Meetings directors &c.

Part V.—Gasworks and lands.

Part VI.—Supply.

Part VII.—Heat unit basis for gas supply.

Part VIII.—Price of gas and application of profits.

Part IX.—Reserve and other funds.

Part X.—Profit sharing &c.

Part XI.—Miscellaneous.

Incorporation of general Acts. 3. The following Acts and parts of Acts are (subject to the provisions of and so far as applicable to the purposes of this Act) hereby incorporated with and form part of this Act (namely) :—

The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) and the Companies Clauses Act 1863 as amended by subsequent Acts;

The Lands Clauses Acts (except the provisions with respect to the purchase and taking of lands otherwise than by agreement);

The Gasworks Clauses Act 1847 (except the provisions with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit);

The Gasworks Clauses Act 1871 except sections 8 and 35 thereof :

Provided that section 22 of the said Companies Clauses Act 1863 shall be read as if the words "and to the same amount as" were omitted therefrom and that section 13 of the said Gasworks Clauses Act 1847 shall be read as if the words "or any premises" were inserted therein after the words "private building" and as if the words "Provided also that every such contract entered into by the undertakers shall be alike in terms and amount to all consumers of gas supplied in like circumstances and for the same purposes" were added at the end of that section.

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

Interpre-  
tation.

"The Company" means the Romford Gas Company incorporated by this Act;

"The Limited Company" means the Romford Gas and Coke Company Limited;

"The appointed day" means the first day of January one thousand nine hundred and thirty;

"The limits of supply" means the limits from time to time for the supply of gas by the Company;

"The inner area" means so much of the limits of supply as is situate within a circle having for its centre a point in the south-western side of South Street in the urban district of Romford two hundred and thirteen feet measured in a north-westerly direction from the north-western side of the bridge carrying the London and North Eastern Railway over South Street and having a radius of one mile;

"The outer area" means so much of the limits of supply as does not form part of the inner area;

"The undertaking" means the undertaking of the Company as from time to time authorised;

"Therm" means one hundred thousand British thermal units;

"The declared calorific value" means the calorific value of the gas which the Company are for the

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time being bound to supply under this Act or under any declaration in force under the provisions of this Act;

“ The Act of 1920 ” means the Gas Regulation Act 1920;

“ The gas referees ” means the gas referees appointed by the Board of Trade under the Act of 1920;

“ Directors ” means directors of the Company;

“ Employee ” means any workman servant or officer of the Company other than a director;

“ Employees under agreement ” means any employees with whom the Company have entered into agreements in writing.

## PART II.

## INCORPORATION OF COMPANY.

Incorporation of Company.

5. As from the appointed day the Limited Company shall be dissolved and the several persons who immediately before the appointed day were members of the Limited Company and all other persons who have subscribed to or shall become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a company for the purposes hereinafter mentioned and shall be and are hereby incorporated by the name of “ Romford Gas Company ” and by that name shall be a body corporate with perpetual succession and a common seal and with power to take hold and dispose of lands and other property for the purposes of this Act and of the undertaking.

General purposes of Company.

6. The Company shall be established for the purposes of manufacturing storing and supplying gas for lighting heating cooking motive power and other purposes and may produce purchase store sell dispose of and deal in gas coke patent fuel tar pitch asphaltum ammoniacal liquor sulphate of ammonia and all other products refuse or residuum arising remaining resulting or obtained from or produced by the manufacture of gas or the materials used therein and may manufacture and sell such articles as can be produced from or by means of the several matters and things aforesaid or any of them and may purchase and store coal oil and other materials



employed in the manufacture of gas and generally may carry on any business usually carried on by a gas company or which is or may become incidental thereto and may carry the powers of this Act into execution. A.D. 1929.  
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7. Subject to the provisions of this Act all the lands gasworks erections buildings rights and easements which immediately before the appointed day are vested in the Limited Company or any person in trust for them or to which the Limited Company are in anywise entitled and all pipes plant apparatus stocks matters and things which have been purchased or provided by and are immediately before the appointed day the property of the Limited Company and all moneys securities credits effects and other property whatsoever which immediately before the appointed day belong to the Limited Company or to any trustee on their behalf and the benefit of all contracts and engagements entered into by or on behalf of the Limited Company and immediately before the appointed day in force and the undertaking of the Limited Company shall on and from the appointed day be by virtue of this Act transferred to and vested in the Company to the same extent and for the same estate and interest as the same were previously to the appointed day vested in the Limited Company or any trustee on their behalf and may according to the provisions of this Act be held and enjoyed sued for and recovered maintained altered discontinued removed and dealt with by the Company as they think fit. Property of  
Limited  
Company  
vested in  
Company.

8. Subject to the provisions of this Act as from the appointed day the unrepealed provisions of the Acts and Orders specified in the First Schedule to this Act are hereby repealed to the extent indicated in the third column of that schedule and the deed of settlement and articles of association of the Limited Company shall as to any prospective operation be wholly void and the Limited Company and the shareholders thereof shall be exempted from all the provisions restrictions and requirements of the said Orders or of any Act which applied to the Limited Company and the members thereof as such. But nothing in this Act contained shall affect the previous operation of the said Orders or the said deed of settlement and articles or anything done or suffered or any right obligation or liability acquired accrued or incurred thereunder and with Repeal of  
Orders and  
avoidance  
of deed of  
settlement  
and articles  
of associa-  
tion of  
Limited  
Company.

A.D. 1929. — respect to all such rights obligations and liabilities the Company and the proprietors thereof and the property of the Company shall to all intents and purposes represent the Limited Company and the members thereof as such and the property of the Limited Company.

Contracts  
prior to  
appointed  
day to be  
binding.

9. All purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made before the appointed day by to or with the Limited Company or any trustee or person acting on behalf of the Limited Company or by to or with any person to whose rights and liabilities they have succeeded and in force at the appointed day shall be as binding and of as full force and effect in every respect against or in favour of the Company and may be enforced as fully and effectually as if instead of the Limited Company or the trustee or person acting on behalf of the Limited Company the Company had been a party thereto.

Actions &c.  
not to  
abate.

10. Nothing in this Act contained shall release discharge or suspend any action or other proceeding which was pending by or against the Limited Company or any member thereof in relation to the affairs of the Limited Company or to which the Limited Company or any member thereof in relation to such affairs were parties immediately before the appointed day and any such action or other proceeding may be maintained prosecuted or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or in favour of or against the Limited Company or any member thereof if this Act had not been passed the Company and the proprietors thereof being in reference to the matters aforesaid in all respects substituted for the Limited Company and their members respectively.

Indemnity.

11. Every person who (being authorised so to do) before the appointed day entered into any bond covenant contract or engagement on behalf of the Limited Company shall be indemnified out of the funds and property of the Company against all liability (including costs charges and expenses) which he may sustain or incur or be put to by reason of his having entered into such bond covenant contract or engagement.



**12.** Subject to the provisions of this Act from and after the appointed day the Company shall in all respects be subject to and shall discharge all obligations and liabilities to which the Limited Company immediately before the appointed day were subject and shall indemnify the members directors officers and servants of the Limited Company and their respective representatives from all such obligations and liabilities and from all expenses and costs in connection therewith.

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Company to satisfy liabilities of Limited Company.

**13.** All gas rents and sums of money which immediately before the appointed day were due or accruing to the Limited Company shall be payable to and may be collected and recovered by the Company in like manner as if they had become payable for the like matters supplied or done under this Act.

Recovery of gas rents &c.

**14.** All persons who immediately before the appointed day owed any money to the Limited Company or to any person on their behalf shall pay the same with all interest (if any) due or accruing upon the same to the Company and all debts and moneys which immediately before the appointed day were due or recoverable from the Limited Company or for the payment of which the Limited Company were or but for this Act would be liable shall be paid with all interest (if any) due or accruing upon the same by or be recoverable from the Company.

As to payment of debts owing before appointed day.

**15.** Notwithstanding the avoidance of the deed of settlement and articles of association of the Limited Company all certificates for shares in the Limited Company (until cancelled under the provisions of this Act) and all sales transfers and dispositions of any such shares made or executed but not registered before the appointed day shall be valid and have due effect given to them as if they were respectively (a) certificates for stock of the Company of the designations and to the amounts allocated by this Act to the holders of the shares referred to in such certificates or (b) sales transfers or dispositions of stock of the Company of the designations and to the amounts allocated by this Act to the holders of shares in the Limited Company of the designations and to the amounts of the shares sold transferred or disposed of together with any sum in cash payable under the provisions of this Act to the holders of such shares.

Certificates &c. to remain in force.

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Books &c.  
continued  
evidence.

**16.** All documents books and writings which if the said dissolution annulment repeal and avoidance had not taken place would have been receivable in evidence shall be admitted as evidence in all courts and elsewhere notwithstanding such dissolution annulment repeal and avoidance.

Present  
registers of  
members to  
be con-  
tinued.

**17.** The books kept by the Limited Company for entering the names and designations of the members thereof with the numbers of their shares and the proper distinguishing number of each share and the register of mortgages of the Limited Company shall until a new register of stockholders and a new register of mortgages shall respectively be provided by the Company continue to be kept for the same purpose by the Company and be taken and considered as the register of shareholders or register of mortgages (as the case may be) required to be kept by the Companies Clauses Consolidation Act 1845 as amended (in its application to the Company) by this Act.

Officers to  
continue till  
removed.

**18.** All officers and servants of the Limited Company who shall be in the employ of the Limited Company at the appointed day shall as from the appointed day hold under the Company the same respective offices and employments on the same terms and conditions as they held under the Limited Company on that day and shall be subject and liable to the like conditions obligations pains and penalties and to the like powers of removal and to the like rules restrictions and regulations in all respects whatsoever as if they had been appointed under this Act.

Saving  
rights of  
Limited  
Company  
until  
appointed  
day.

**19.** Nothing in this Act shall prejudice or affect the exercise or enjoyment by the Limited Company of any of their rights powers or privileges during the period between the passing of this Act and the appointed day but all such rights powers and privileges may be exercised and enjoyed by the Limited Company during the said period as if this Act had not been passed.

### PART III.

#### CAPITAL &c.

Capital.

**20.** The capital of the Company shall be three hundred and fifty thousand pounds of which capital

one hundred and seventy-one thousand seven hundred and seventy-five pounds is in this Act called "the original capital" and shall be substituted for the existing share capital of the Limited Company and one hundred and seventy-eight thousand two hundred and twenty-five pounds is in this Act called "the additional capital" and may be raised in manner in this Act mentioned. A.D. 1929.  
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**21.** On the appointed day there shall be created by virtue of this Act and without any further or other authority— Division of  
original  
capital.

- (a) one hundred and sixteen thousand eight hundred and fifty pounds of ordinary stock;
- (b) forty thousand seven hundred and five pounds of stock (in this Act called "six per centum redeemable preference stock") entitled to a preferential dividend of six per centum per annum and redeemable at par on the first day of January one thousand nine hundred and thirty-three; and
- (c) fourteen thousand two hundred and twenty pounds of stock (in this Act called "five and a half per centum preference stock") entitled to a preferential dividend of five and a half per centum per annum;

and the one hundred and sixteen thousand eight hundred and fifty pounds ordinary stock and the six per centum redeemable preference stock and the five and a half per centum preference stock shall constitute the original capital of the Company until the six per centum redeemable preference stock shall be redeemed and after such redemption the original capital shall consist of one hundred and sixteen thousand eight hundred and fifty pounds ordinary stock and fourteen thousand two hundred and twenty pounds five and a half per centum preference stock and such further stock or stocks as the Company may create and issue under the provisions of the section of this Act of which the marginal note is "Redemption of redeemable preference stock."

**22.—(1)** Forthwith after the appointed day the ordinary stock and six per centum redeemable preference stock and five and a half per centum preference stock created by virtue of this Act shall subject to the provisions of the section of this Act of which the marginal Allocation  
of original  
capital.

A.D. 1929. note is "As to fractional parts of one pound" be allocated as follows:—

- (a) The said ordinary stock shall be divided among and vested in the several persons who immediately before the appointed day were registered as holders of the ordinary shares of the Limited Company in the proportion of twelve pounds and ten shillings of such stock for each original share held by them respectively and ten pounds of such stock for each B share held by them respectively;
- (b) The six per centum redeemable preference stock shall be divided among and vested in the several persons who immediately before the appointed day were registered as holders of the six per centum redeemable preference shares of the Limited Company in the proportion of five pounds of such stock for each such redeemable preference share held by them respectively;
- (c) The five and a half per centum preference stock shall be divided among and vested in the several persons who immediately before the appointed day were registered as holders of the five and a half per centum preference shares of the Limited Company in the proportion of five pounds of such stock for each such preference share held by them respectively.

(2) All stock so created and vested shall be deemed to be fully paid up.

As to fractional parts of one pound.

**23.** In every case where under the foregoing provisions of this Act a holder of any original ordinary shares of the Limited Company would be entitled to be registered as the holder of any amount of ordinary stock of the Company including any fractional part of one pound of such stock the Company in lieu of registering such holder and issuing to him a certificate as holder of an amount of stock including such fractional part shall pay to such holder such a sum in cash as shall be equal to the par value of such fractional part and shall register such holder and issue to him a certificate as holder of the amount of stock of the Company to which he shall be entitled as aforesaid excluding such fractional part and the receipt of such holder for the sum in cash so to be

paid as aforesaid shall be a sufficient discharge to the Company in respect of such fractional part. The directors may either cancel all or any of the stock in respect of which such payment has been made or issue the same at par to any willing purchaser thereof in amounts of one pound or multiples thereof but not otherwise and any loss or expense which may be incurred in connection with such issue shall be borne by the Company.

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**24.** Trustees executors or administrators and all other holders in any representative or fiduciary capacity of any share or shares in the Limited Company are hereby expressly authorised and required to accept any stock and sums in cash vested in or paid to them pursuant to this Act and to hold dispose of or otherwise deal with the same as they might have held disposed of or otherwise dealt with the share or shares in the Limited Company for which such stock and sums in cash (if any) are substituted and are hereby indemnified in respect of all acts bonâ fide done by them in pursuance of this Act.

Trustees to accept substituted stock.

**25.—(1)** The six per centum redeemable preference stock created by virtue of this Act shall be redeemed by the Company either by paying off the same or by issuing to any holder of that stock subject to his consent ordinary or preference stock (and if preference stock either redeemable or irredeemable) created under the provisions of this section.

Redemption of redeemable preference stock.

(2) For the purpose of providing money for paying off the six per centum redeemable preference stock or any part thereof or of providing substituted stock the Company may create and issue under the provisions of this section new ordinary stock or new preference stock (either redeemable or irredeemable) or re-issue any redeemed stock.

(3) Any redeemable preference stock created under the provisions of this section may be redeemed in like manner as the six per centum redeemable preference stock may be redeemed or in such other manner as may be prescribed by the resolution creating the same.

(4) Any stock created and issued solely in substitution for other stock shall not be subject to the provisions of the section of this Act of which the marginal note is "Sale of stock by auction or tender."



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As to  
debenture  
bonds of  
Limited  
Company.

**26.**—(1) The debenture bonds of the Limited Company outstanding at the appointed day shall as from that day become and be debenture bonds of the Company charged upon the undertaking in all respects as if those bonds had been issued by the Company on the dates on which they were respectively issued by the Limited Company and as if the Company had been named therein instead of the Limited Company.

(2) If and when the Company redeem or pay off the said debenture bonds or any of them they may re-borrow on mortgage the amount of the bonds so redeemed or paid off or (if and to the extent to which they do not so re-borrow) the said amount shall be deemed to be an amount which (in addition to any other borrowing powers for the time being exerciseable by them) they may raise by the creation and issue of debenture stock and such debenture stock shall be deemed to have been created by virtue of this Act and may be issued by the directors at such times to such persons and upon and subject to such terms and conditions as they may think fit.

Stock to be  
held on  
same trusts  
&c. as  
shares of  
Limited  
Company.

**27.** The ordinary stock and preference stocks referred to in the section of this Act of which the marginal note is "Allocation of original capital" shall be subject and liable to the same trusts powers provisions declarations agreements charges liens and incumbrances as immediately before the appointed day affected the share or shares for which the same are respectively substituted and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any agreement deed or other instrument or any testamentary disposition made before the appointed day and affecting any such share or shares and every such agreement deed or other instrument or testamentary disposition shall take effect with reference to the whole or a proportionate part as the case may be of the ordinary stock or preference stock substituted for such share or shares.

Exchange of  
certificates  
&c.

**28.** The Company shall call in and cancel the existing certificates of shares in the Limited Company and issue in lieu thereof certificates of the stock to which the holders of such shares are by this Act respectively entitled but no holder of any such share shall be entitled to any certificate of proprietorship under this Act until



he shall have delivered up to the Company to be cancelled the existing certificate of proprietorship of the share or shares in the Limited Company issued to him before the appointed day or shall have proved to the reasonable satisfaction of the directors the loss or destruction thereof but if any holder of any such existing share neglect or omit to send or deliver to the Company his existing certificate or certificates for the period of one year after notice in writing sent by post to the address of such holder appearing in the shareholders' address book of the Limited Company the Company may retain any dividend declared or made payable upon or in respect of the stock substituted under the provisions of this Act for such share or shares until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and an indemnity is given against any claim in respect of such lost or destroyed certificate or certificates to the satisfaction of the directors.

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**29.** The Company may from time to time raise the additional capital by the creation and issue at their option of additional ordinary stock or preference stock or wholly or partially by one or other of those modes but no such stock shall vest in the person accepting the same until the full price of such stock including any premium obtained upon the sale thereof shall have been paid in respect thereof Provided that it shall not be lawful for the Company to create and issue under the powers of this section any greater nominal amount of capital than shall be sufficient to produce (including any premium which may be obtained on the sale thereof and after allowing for any discount on such sale) the sum of one hundred and seventy-eight thousand two hundred and twenty-five pounds Provided also that so long as any of the six per centum redeemable preference stock remains unredeemed the total nominal amount of the preference stock of the Company shall not exceed the total nominal amount of their ordinary stock.

Power to  
raise addi-  
tional  
capital.

**30.—(1)** Except as by this Act otherwise provided all stock created under the powers of this Act shall be issued in accordance with the provisions of this section.

Sale of  
stock by  
auction or  
tender.

(2) All stock so to be issued shall be offered for sale by public auction or tender in such manner at such times

A.D. 1929. — and subject to such conditions of sale as the directors shall from time to time determine Provided as follows :—

- (a) Notice of the intended sale shall be given in writing to the clerk of the council of each urban and rural district wholly or partly within the limits of supply and to the secretary of the London Stock Exchange at least fourteen days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two successive weeks in one or more local news papers circulating within the limits of supply ;
- (b) A reserve price shall be fixed and notice thereof shall be sent by the Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be ;
- (c) In the case of a sale by auction no lot offered for sale shall comprise stock of greater nominal value than one hundred pounds and a bid shall not be recognised unless it is in advance of the last preceding bid ;
- (d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum except that the offer by tender of any holder of ordinary or preference stock of the Company may be accepted in preference to the offer of the same sum by any person not such a holder as aforesaid and preference may in like manner be given to the offer of any employee or consumer of gas supplied by the Company ;
- (e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any stock which has been so offered for sale and is not sold may be offered at the reserve price to the holders of ordinary and preference stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees and to the consumers of gas supplied by the

Company in such proportions as the directors may think fit or to one or more of these classes of persons only  
 Provided that in the case of an offer to holders of stock if the aggregate amount of stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

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(4) Any stock which has been offered for sale in accordance with subsection (2) or with subsections (2) and (3) of this section and is not sold may be disposed of for the purpose of realising the best price obtainable at such price and in such manner as the directors may determine.

(5) As soon as possible after the conclusion of the sale or sales the Company shall send a report thereof to the Board of Trade stating the total amount of each class of stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for each class of stock.

**31.**—(1) Notwithstanding any other provision of this Act the Company may with the approval of the Board of Trade and subject to such conditions as the Board may think fit to impose offer for subscription by the public any stock created under the powers of this Act and upon any such offer pay a commission not exceeding five per centum to any person in consideration of his subscribing or agreeing to subscribe whether absolutely or conditionally for any such stock or procuring or agreeing to procure subscriptions whether absolute or conditional for any such stock :

Power to offer new stock for subscription and to pay commission.

Provided that the payment of the commission and the amount or rate per centum of the commission paid or agreed to be paid shall be disclosed in every prospectus advertisement or other document of the Company relating to the offer for sale of such stock.

(2) Nothing in this section shall affect any power of the Company to pay brokerage.

**32.**—(1) The holders of the six per centum redeemable preference stock and five and a half per centum preference stock shall not be entitled to vote at any general meeting of the Company except on any question specifically affecting (otherwise than by a proposal to

Restrictions as to votes in respect of preference stock.

A.D. 1929. create and issue other preference stock ranking *pari passu* with the said preference stocks or either of them) any of the rights or privileges attached to such preference stocks.

(2) Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any stock of the Company forming part of the additional capital to which a preferential dividend shall be assigned.

New ordinary and preference stock to be part of general capital.

**33.** All ordinary and preference stock created by the Company under this Act shall be part of the general capital of the Company and save as is otherwise provided by this Act the holders thereof respectively shall be entitled to the like rights of voting (if any) and any other rights qualifications and privileges in proportion to the amount of their stock and be subject to the like provisions and liabilities as the holders of other stock of the Company of the same class and description.

Power to borrow.

**34.—(1)** The Company may without further or other authority borrow on mortgage of the undertaking in respect of the original capital any sum or sums not exceeding in the whole (inclusive of the amount of the debenture bonds referred to in the section of this Act of which the marginal note is “As to debenture bonds of Limited Company”) the sum of eighty-five thousand eight hundred and eighty-seven pounds.

(2) The Company may also subject to the provisions of this Act borrow on mortgage of the undertaking in respect of the additional capital any sum or sums not exceeding in the whole one-half of that capital which at the time of borrowing has been raised under the powers of this Act but no sum shall be borrowed in respect of any capital so raised until the Company have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock in respect of which it is proposed to borrow together with the premium (if any) realised or after allowing for the discount (if any) given on the sale thereof has been fully paid up :

Provided that any money raised under the powers of this Act for the redemption of redeemable preference stock shall for the purposes of this section be deemed to

be substituted for the money raised by the issue of that stock and not to have been raised by the issue of additional capital under the powers of the section of this Act of which the marginal note is "Power to raise additional capital." A.D. 1929.  
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**35.** The Company may create and issue debenture stock subject to the provisions of Part III of the Companies Clauses Act 1863 as amended (in its application to the Company) by this Act but notwithstanding anything therein contained the interest of the debenture bonds referred to in the section of this Act of which the marginal note is "As to debenture bonds of Limited Company" and of all debenture stock which under the provisions of that section is to be deemed to have been created by virtue of this Act and of all debenture stock and mortgages at any time after the passing of this Act created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall subject as is mentioned in the section of this Act of which the marginal note is "Priority of mortgages over other debts" have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock. Debenture  
stock.

**36.** All moneys raised by the Company on mortgage or debenture stock under the provisions of this Act or secured by the debenture bonds referred to in the section of this Act of which the marginal note is "As to debenture bonds of Limited Company" shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act. Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted by the Limited Company or to be granted by the Company in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to or vested in the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock. Priority of  
mortgages  
over other  
debts.



A.D. 1929.

—  
Redeemable  
preference  
or debenture  
stock.

**37.**—(1) The Company may create and issue all or any of the preference stock or debenture stock (each of which is in this section referred to as “stock”) authorised to be created and issued under the powers of this Act so as to be redeemable on such terms and conditions as may be specified in a resolution of the Company passed at an extraordinary general meeting.

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

(a) call in and pay off the stock or any part thereof at any time before the fixed date of redemption; and

(b) redeem the stock or any part thereof either by paying off the stock or by issuing to any stockholder subject to his consent other stock in substitution therefor and may for the purpose of providing money for paying off the stock or of providing substituted stock create and issue (subject as regards preference stock to the provisions of the sections of this Act of which the marginal notes are respectively “Sale of stock by auction or tender” and “Power to offer new stock for subscription and to pay commission”) new stock (either redeemable or irredeemable) or re-issue stock originally created and issued under this section provided that the creation and re-issue for that purpose of any particular class of stock does not make the total nominal amount of such stock exceed the amount of that class of stock which the Company are for the time being authorised to create except (a) during the necessary interval between the creation and issue of the new stock and the redemption of the old stock and (b) when the new stock is issued in substitution for stock which was itself lawfully issued.

(3) Any preference stock created and issued solely in substitution for other preference stock shall not be subject to the provisions of the section of this Act of which the marginal note is “Sale of stock by auction or tender.”

Redeemable  
stock not to  
be redeemed  
out of  
revenue.

**38.** The Company shall not redeem out of revenue any redeemable preference stock or debenture stock created under or by virtue of this Act.



**39.** 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. 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.

A.D. 1929.

Arrears to be enforced by appointment of a receiver.

**40.** All moneys raised under this Act including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of stock under the provisions of this Act shall not be considered as part of the capital of the Company entitled to dividend.

Application of moneys.

**41.—(1)** Any stock or debenture stock of the Company may be issued and be held in amounts of one pound or any multiple of one pound and not otherwise and the Company shall not be under any obligation to register a transfer of any such stock or debenture stock which would reduce the holding of stock or debenture stock of that class of the transferor below or make the holding of stock or debenture stock of that class of the transferee less than one pound or a multiple of one pound.

Minimum amounts of holdings of stock and debenture stock.

**(2)** Notice of this enactment so far as applicable shall be stated in all certificates of ordinary stock preference stock or debenture stock of the Company as the case may be.

**42.** The Company shall not be bound to see to the execution of any trusts whether express implied or constructive to which any stock or debenture stock may be subject and the provisions of section 20 of the Companies Clauses Consolidation Act 1845 shall mutatis mutandis extend and apply to any stock or debenture stock of the Company as if the same were shares in the capital of the Company.

Company not bound to regard trusts.

#### PART IV.

##### MEETINGS DIRECTORS &C.

**43.** The first ordinary meeting of the Company shall be held within six months after the appointed day

Ordinary meetings.

A.D. 1929. — and all subsequent ordinary meetings of the Company shall be held yearly in the month of March in every year at the Company's principal office or in such other month or at such other place as shall be from time to time appointed for that purpose by an order of the directors.

Quorum of  
general  
meetings.

44. The quorum of general meetings (whether ordinary or extraordinary) of the Company shall be five stockholders (of whom at least one shall be a director) present in person and holding in the aggregate not less than two thousand pounds of ordinary stock.

Votes at  
general  
meetings.

45. The holders of ordinary stock and (if and so far as voting rights attach to any preference stock) the holders of such preference stock shall be entitled to vote at general meetings of the Company in respect of their respective holdings according to the following scale:—

One vote for the first or only five pounds of stock and each complete multiple of five pounds of stock up to the amount of fifty pounds;

One vote for each complete multiple of twenty-five pounds of stock up to the amount of four hundred and fifty pounds of stock beyond the first fifty pounds thereof; and

One vote for each complete multiple of fifty pounds of stock beyond the first five hundred pounds thereof.

As to  
appoint-  
ment of  
proxies.

46. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the attorney of any stockholder duly authorised in writing may appoint a proxy to vote for and on behalf of the stockholder and for that purpose may execute on behalf of the stockholder the necessary form of proxy. Provided that the instrument appointing the attorney or in the case of an instrument deposited in the central office of the Supreme Court of Judicature an office copy thereof shall be transmitted to the secretary of the Company at the same time as the instrument appointing the proxy.

Votes of  
joint  
holders.

47. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any stock to which voting rights are attached any one of those persons may vote at any meeting either personally or by proxy in respect of the stock as if he were solely

entitled thereto but if more than one of the joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the stock shall alone be entitled to vote in respect thereof Several executors or administrators of a deceased member in whose name any stock stands shall for the purposes of this section be deemed joint holders thereof.

A.D. 1929.  
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48.—(1) The number of directors shall be five but the Company may vary the number provided that the number be not at any time more than nine nor less than three.

As to  
directors.

(2) The continuing directors may act notwithstanding any vacancy in the number of directors but so that if at any time the number of directors of the Company holding office shall be less than the minimum number prescribed by this Act the directors shall not except for the purpose of filling vacancies and allotting shares to any proposed director or directors act so long as the number is below such minimum.

(3) The quorum of a meeting of directors shall be two.

(4) The qualification of a director shall be the possession in his own right of ordinary stock of the Company to the nominal amount of not less than four hundred pounds Provided that a person who is not a holder of ordinary stock of the Company or of a sufficient amount of such stock to qualify him as a director may be elected and act as a director but that if at the expiration of a period of six months from the date of his election he does not possess in his own right ordinary stock of the Company to the amount prescribed by this subsection he shall upon and as from such expiration cease to be or act as a director and thereupon a vacancy amongst the directors shall be deemed to have arisen within the meaning of the section of this Act of which the marginal note is "Occasional vacancy among directors."

49. Bevous James Smith Edward Wilshaw John Rowe James Roynon Francis Sully and Frederick Garwood Randall shall be the first directors of the Company and shall continue in office until the first ordinary meeting of the Company.

First  
directors.

A.D. 1929.

Election of  
directors.

**50.** Subject to the provisions of this Act at the first ordinary meeting of the Company two of the directors appointed by this Act shall retire from office and the stockholders present in person or by proxy may either re-elect the directors so retiring (if they continue qualified) or either of them or may elect new directors or a new director to supply the place of the directors or director not so re-elected and at the ordinary meeting to be held in every year after the first ordinary meeting the stockholders present in person or by proxy shall (subject to the power hereinbefore contained of varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead.

Directors  
holding  
office under  
or con-  
tracting  
with Com-  
pany.

**51.** Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Company by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract. Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined on if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

Occasional  
vacancy  
among  
directors.

**52.** If any vacancy arises amongst the directors by reason of the death resignation or disqualification of a director or from any other cause between the date of

any annual meeting of the Company and the subsequent annual meeting the directors may elect some person to fill such vacancy and any person so elected as aforesaid shall only continue in office by virtue of such election so long as the director in whose place he may be so elected would have been entitled to continue in office if such vacancy had not occurred but any such person if and so long as he continues duly qualified may be elected or re-elected a director by the proprietors of the Company in general meeting.

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**53.**—(1) Except in the case of a director retiring by rotation and offering himself or being proposed for re-election no person shall be capable of being elected a director of the Company in place either of a director retiring by rotation or of a director dying refusing to act or ceasing to be qualified or being disqualified to act unless notice in writing that such person intends to offer himself or will be proposed for the office of director shall have been given to the secretary of the Company or left at the office of the Company fourteen days at least before the day of election.

Notice of candidature for office of director.

(2) For the purposes of this section the directors retiring from office at the first meeting of the Company pursuant to the section of this Act of which the marginal note is "Election of directors" shall be deemed to have retired by rotation on the date of that meeting.

**54.**—(1) The directors may appoint one or more of their body to be managing director or managing directors either for a fixed term or without any limitation as to time and may remove or dismiss him or them from office and appoint another or others in his or their place or places.

As to appointment of managing directors.

(2) A managing director shall not while holding that office be subject to retirement by rotation and shall not be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

(3) The remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.



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(4) The directors may entrust to and confer upon any managing director such of the powers exerciseable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers.

Auditors.

**55.** The prescribed number of auditors shall be one but the number may be increased to two by a resolution of the Company passed at a general meeting and such auditor or auditors shall be a member or members of the Institute of Chartered Accountants or the Society of Incorporated Accountants and Auditors and need not hold stock of the Company but nothing in this section shall prevent any person who at the date of the passing of this Act is an auditor of the Limited Company being appointed or continuing to act as an auditor of the Company.

## PART V.

### GASWORKS AND LANDS.

Powers as to construction and maintenance of gasworks &c.

**56.**—(1) Subject to the provisions of this Act the Company may upon the lands described in Part I of the Second Schedule to this Act or such parts thereof as may from time to time be in the possession of the Company maintain and continue the gasworks of the Limited Company and may upon those lands erect maintain alter extend improve and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply and may also upon the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas.

(2) Subject to the provisions of this Act the Company may upon the lands described in Part II of the said Second Schedule or such parts thereof as may from time to time be in the possession of the Company maintain and continue the works of the Limited Company for the storage of gas and erect maintain alter extend renew and improve works for such storage with all necessary machinery and apparatus connected therewith and do all such acts as may be proper for that purpose.



(3) Subject to the provisions of this Act the Company may upon the lands described in Part III of the said Second Schedule or such parts thereof as may from time to time be in the possession of the Company erect maintain alter improve and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply and may also upon the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas.

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**57.** The powers of the Company of purchasing residual products shall be restricted to the purchase in such quantities as they think fit from any company body or person carrying on a gas undertaking (whether with or without statutory authority) or operating coke ovens or carrying on any process of carbonisation or gasification of coal or coke of any residuals arising from the manufacture of gas or the carrying on of any such operation or process and products arising from a primary treatment of those residuals by such company body or person:

As to powers of purchasing residual products.

Provided that nothing in this section shall restrict the powers of the Company of purchasing the materials required to work up and convert any residuals arising from their own manufacture of gas or purchased as aforesaid:

Provided also that the Company shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residuals produced by the Company or purchased from other gas undertakings is merely subsidiary.

**58.** The Company may for the purposes of the undertaking purchase and take (by agreement but not otherwise) and hold any lands and hereditaments which the Company may from time to time require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in Parts I and III of the Second Schedule to this Act and the Company shall not at any one time hold any greater quantity of land in the whole than fifty acres.

Purchase of lands by agreement.

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Power to  
sell and  
lease lands.

**59.** The Company may sell or otherwise dispose of or may let on lease for such periods as they think fit any lands buildings or property for the time being belonging to them which may not at the time be required for the purposes of the undertaking upon such terms and conditions as the Company or the directors think fit and notwithstanding anything contained in the Gasworks Clauses Act 1871 the provisions of sections 128 to 132 of the Lands Clauses Consolidation Act 1845 shall not apply to any such sale lease or disposal. Provided that the provisions of this section shall apply only to lands which have been acquired by the Company by agreement.

Dwelling-  
houses for  
employees  
offices &c.

**60.** The Company may purchase or take on lease houses and cottages for any of their employees and offices and showrooms for the purposes of the undertaking and may erect fit up and maintain upon any lands for the time being belonging or leased to the Company any building to be wholly or partly used for the said purposes and may let any part of any such building which shall not for the time being be required for the said purposes.

Recreation  
ground for  
employees.

**61.** The directors may provide maintain and equip grounds for games sports or recreation for the use of employees of the Company and others and may acquire or take on lease for that purpose any lands in addition to any other lands which they are or may be authorised to acquire by agreement or otherwise. The directors may on such occasions as they may think fit admit or sanction the admission of any persons to any grounds so provided either with or without payment for such admission.

## PART VI.

### SUPPLY.

Limits of  
supply.

**62.** The limits of this Act shall be the urban districts of Romford and Hornchurch and the parishes of Upminster and Noak Hill in the rural district of Romford in the county of Essex.

Power to  
lay pipes  
in private  
streets.

**63.** The Company may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises

with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in this Act : A.D. 1929:

Provided that nothing in this section shall apply to any street belonging to and forming the approach to any station or depôt of the London and North Eastern Railway Company or the London Midland and Scottish Railway Company except with the consent of those companies respectively which consent shall not be unreasonably withheld nor shall the Company in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street or road.

**64.** In order to enable the Company to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect :— As to construction and placing of pipes &c.

(1) The Company may if they think fit make a specification or specifications with regard to the minimum size and the material of the pipes with the fittings thereof which are to be laid by the owner or occupier of any premises on those premises either in the first instance or on the occasion of any renewal and different specifications may be made for different classes of premises or for particular premises having regard to the probable maximum consumption of gas thereon at any one time but a specification shall have no force or effect until it has been approved by the Board of Trade who before giving such approval shall refer the matter to an independent gas engineer and may if they think fit direct such engineer to hold a public inquiry into any proposed specification and to have regard to any representations made to the Board by any persons who appear to the Board to be affected by the specification and who attend such inquiry :

(2) (a) The Company shall publish once in the London Gazette and once in each of two newspapers circulating within the limits of supply a notice of any application made by them to the Board of Trade for approval of any specification together with a copy of the proposed specification and an intimation in a form to be

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approved by the Board that any person affected by such proposed specification may make representations in writing to the Board within a period to be specified in the notice ;

(b) As soon as practicable after the Board of Trade have approved any specification the Company shall comply with any directions given to them by the Board as to the publication or service of copies of the specification as approved or of notice of the giving of such approval ;

(c) A copy of every specification approved by the Board of Trade under this section shall be kept for public inspection at the office of the Company and copies of every such specification shall be purchaseable by any person at the said office at the price of sixpence for each copy :

- (3) When any such pipe or fittings as aforesaid is or are about to be laid or placed notice thereof shall be given to the Company accompanied by a description of the size and materials of the proposed pipe or fittings and of the purposes for which the gas to be supplied through the same is intended to be used :
- (4) The Company shall as soon as practicable after receiving such notice (after making such inspection if any of the said pipe or fittings and of the premises in which the same is or are proposed to be laid or placed as they may deem necessary) intimate in writing to the person giving the notice their approval or disapproval of the pipe or fittings as complying or not complying with the appropriate specification :
- (5) No such pipe or fittings as aforesaid shall be laid or placed unless or until the same shall have been approved as aforesaid and when any such pipe or fittings has or have been laid or placed notice thereof shall be given to the Company and the pipe or fittings shall not be covered over until after the expiration of forty-eight hours from the service of such notice on the Company or until the pipe or fittings as laid or placed has or have been inspected and approved by the Company whichever shall first happen :

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- (6) Any officer of the Company duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend for the purpose of any such inspection as aforesaid and if the officer is not permitted to make the inspection or if the pipe or fittings are not according to the appropriate specification of the Company they may refuse to supply gas to the premises until the provisions of this section have been complied with :
- (7) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid between the main and the meter shall be placed as near as practicable to the Company's main but within the outside wall of the building and when any such meter has been placed the person placing the same shall give to the Company the like notice and the Company shall have the like rights of inspection as are respectively referred to in subsections (5) and (6) of this section and if the meter is not placed as required by this section the Company may refuse to supply gas to the premises until the provisions of this section have been complied with. Provided that in the case of any building in connection with which there is provided outside the building accommodation reasonably approved by the Company for the meter or a separate meter-house such meter may be placed in such accommodation or meter-house instead of within the outside wall of the building :
- (8) The provisions of this section relating to pipes and the fittings thereof shall not apply to any pipes or fittings belonging to a railway company and laid or placed or intended to be laid or placed in any premises (not being a dwelling-house or premises appurtenant to a dwelling-house) of that company—

(a) elsewhere than between the main of the Company and the meter ; or



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(b) between such main and the meter unless and except so far as such pipes or fittings are covered over or intended to be covered over :

(9) For the purposes of this section the expression "fittings" includes only the sockets bends tees and connections of a similar character used in placing or laying pipes.

Power to lay pipes for ancillary purposes.

**65.** The Company may within the limits of supply lay down and repair take up relay or renew mains pipes and culverts for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from the manufacture of gas or any residual products thereof or for any purpose connected with the undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof :

Provided that no such main pipe or culvert shall be laid down in any county road without the consent in writing of the county council of the administrative county of Essex having been first obtained but such consent shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by arbitration in manner provided by the Arbitration Act 1889.

For the purposes of this proviso the expression "county road" means until the first day of April one thousand nine hundred and thirty a main road vested in and maintainable by the said county council and as from that date a county road within the meaning of the Local Government Act 1929.

Supply of fittings &c.

**66.** The Company may purchase and may supply sell and let stoves ranges engines dynamos and meters pipes and fittings and apparatus for the automatic supply of and payment for gas and apparatus for lighting heating cooking ventilating or motive power or for any other purpose for which gas may be utilised and may fix remove or alter the same or any other fittings or apparatus (all which things fittings and apparatus are



hereinafter referred to as and included in the expression “fittings”) and do any work or services in connection therewith and may supply gas for the aforesaid purposes or by the aforesaid means or any of them and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon between the Company and the persons to or for whom the fittings are sold let fixed repaired or removed.

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**67.**—(1) All gas engines stoves ranges pipes and other fittings let by the Company on hire or belonging to them but being upon premises of which the Company are not in possession shall whether they be or be not fixed or fastened to any part of any premises in or upon which they may be situate or to the soil under any such premises at all times continue to be the property of and be removable by the Company and shall not be subject to distress or to the landlord’s remedy for rent of the premises where the same may be nor to be taken in execution under any process of a court of law or equity or any proceedings in bankruptcy against the person in whose possession the same may be provided that such fittings have upon them a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof.

Fittings not to be subject to distress &c.

(2) For the purposes of this section gas engines stoves ranges pipes and other fittings disposed of by the Company on the terms of payment by instalments shall until the whole of the instalments have been paid be deemed to be fittings let on hire by the Company.

(3) Nothing in this section shall affect the amount of the assessment for rating of any premises upon which any gas engines stoves ranges pipes or other fittings are or shall be fixed.

**68.**—(1) The power to enter premises and remove pipes meters fittings or apparatus conferred upon the Company by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into or being in occupation of any premises previously supplied with gas by the Company shall not require to take a supply of gas from the Company or to hire

Removal of fittings where supply discontinued.

A.D. 1929. — all or any of the engines stoves ranges pipes meters fittings or apparatus belonging to the Company.

(2) Where any premises which the Company are entitled to enter in pursuance of the said section 22 or this section are unoccupied the Company may after giving not less than forty-eight hours' notice to the owner thereof or (if he is unknown to the Company and cannot be ascertained after diligent inquiry) after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage and repairing all damage caused by such entry and shall on quitting the premises leave the same secure.

(3) Any person having control of the premises which the Company are authorised by the Gasworks Clauses Act 1871 or this Act to enter who does not permit such entry shall be liable on summary conviction to a penalty not exceeding five pounds.

Anti-fluctu-  
ators.

**69.**—(1) The Company may by notice in writing require a consumer of gas supplied by the Company and used for the working of an engine to fix and use an efficient anti-fluctuator in a suitable position upon the premises upon which the engine is in use or to keep any anti-fluctuator fixed and used by the consumer in proper order and repair at all times while in use or to repair renew or replace an anti-fluctuator which is not in proper order or repair.

(2) If the consumer after any such notice as afore-said fails to fix and use an efficient anti-fluctuator or to keep an anti-fluctuator in proper order and repair or to repair renew or replace an anti-fluctuator which is not in proper order and repair the Company may cease to supply him with gas.

(3) The Company may at all reasonable times demand and shall thereupon have access to any anti-fluctuator fixed upon any premises to which gas is supplied by the Company and for the purpose of ascertaining whether the anti-fluctuator is efficient and in proper order and repair may take off remove test inspect and replace the anti-fluctuator such taking off removing testing inspecting and replacing to be done at the expense of the Company if the anti-fluctuator be found efficient and in proper order but otherwise at the expense of the consumer.

(4) For the purposes of this section an “anti-fluctuator” means an apparatus for the purpose of controlling and regulating the supply of gas to any engine and preventing any inconvenience or danger from the intermittent consumption of gas by the engine.

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**70.**—(1) Every consumer of gas supplied by the Company who uses for or in connection with the consumption of such gas air at high pressure or any gas not supplied by the Company (in this section referred to as “high-pressure air or other gas”) shall if required to do so by the Company provide and fix in a suitable position and use an efficient valve or other appliance for preventing the admission of such high-pressure air or other gas into the service pipe or any main through which gas is supplied by the Company and shall at all times at his own expense keep in proper order and repair any such valve or other appliance as aforesaid which shall have been provided and fixed whether upon such requirement or otherwise.

Provision of valve where high-pressure air or other gas is used.

(2) Every consumer of gas supplied by the Company who uses a gas compressor for increasing the pressure of gas after it has passed through the meter shall if required to do so by the Company provide and fix in a suitable position and use an efficient valve or other approved appliance for preventing the pressure in the meter being so reduced as to damage the meter or the pressure in the main being so reduced as to affect the supply of gas to other consumers. Gas in connection with which any such compressor is used is in this section referred to as “high-pressure gas.”

(3) It shall not be lawful for any consumer at any time after the date of this Act to commence to use high-pressure air or other gas or high-pressure gas unless and until he shall have given to the Company not less than fourteen days’ previous notice in writing of his intention to do so.

(4) Every consumer who at the date of the receipt by him of any such demand note as is referred to in paragraph (a) of subsection (6) of this section is using high-pressure air or other gas or high-pressure gas shall within one month after that date give to the Company notice in writing of such use and if within one month after the giving of such notice the Company require the consumer giving the same to provide and fix such a valve

A.D. 1929. or other appliance as aforesaid it shall not be lawful for him after the expiration of fourteen days from the receipt of the requirement to continue to use high-pressure air or other gas or high-pressure gas unless before such expiration he shall have complied with the requirement.

(5) If any consumer shall fail to comply with any requirement or obligation under this section the Company may cease to supply gas to him and shall not be under any obligation to resume such supply until the default shall have been remedied to their satisfaction.

(6) The Company shall give notice of the effect of the foregoing provisions of this section—

(a) (in the case of all persons who on the appointed day are consumers of gas supplied by the Company) on the demand notes for gas charges payable to the Company issued next after that date; and

(b) (in the case of any person becoming after the appointed day a consumer of gas supplied by the Company) on the first of such demand notes delivered to such person after he shall have become a consumer.

(7) The Company shall have access at all reasonable times to all premises supplied by them with gas in or upon which high-pressure air or other gas or high-pressure gas is used or the Company have reason to believe that high-pressure air or other gas or high-pressure gas is or may at the time be used in order to ascertain whether any such valve or appliance as aforesaid is efficient or is in proper order and repair or whether such a valve or appliance is provided and fixed where necessary.

(8) The Company shall be at liberty to take off remove test inspect and replace any such valve or other appliance as aforesaid such taking off removing testing inspecting and replacing to be done at the expense of the Company if the valve or other appliance be found in proper order but otherwise at the expense of the consumer.

Period of  
error in  
defective  
meters.

71. In the event of any meter used by a consumer of gas being tested in manner provided by regulations made by the Board of Trade under the Act of 1920 and being proved to register erroneously within the meaning of the said regulations such erroneous registration shall

be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter. The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Company.

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**72.** If any person supplied with gas by the Company uses or deals with the same so as to interfere unduly or improperly with the efficient supply of gas by the Company to any other person or if any person supplied with gas by the Company wilfully uses the same for a purpose other than that specified in the contract under which the same is supplied the Company may if they think fit cease to supply gas to such person.

For prevention of improper use of gas.

**73.** Notwithstanding anything in this or any other Act a person shall not be entitled to demand or continue to receive for the purposes of a stand-by supply only from the Company a supply of gas for any premises having a separate supply of gas or a supply (in use or ready for use for the purposes for which the stand-by supply of gas is required) of electricity steam or other form of energy unless he has agreed with the Company to pay to them such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing such stand-by supply and will cover other standing charges incurred by them in order to meet the possible maximum demand for those premises and the sum so to be paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

Stand-by supply.

**74.** If a person requiring a supply of gas from the Company has previously quitted premises at which gas was supplied to him by the Company without paying to them all gas charges and meter rent due from him to the Company they may refuse to furnish to him a supply of gas until he pays the same.

Refusal of supply to persons in debt for other premises.

**75.** At least twenty-four hours' notice shall be given to the Company by every gas consumer either personally at the office of the Company or in writing before he shall quit any premises supplied with gas by meter by the Company and in default of such notice the consumer

Consumers to give notice before removing.



A.D. 1929. — so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever shall first occur. Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Company.

Notice to  
discontinue  
supply of  
gas.

**76.** A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Company or delivered by the consumer personally at the office of the Company.

As to mode  
of cutting  
off supplies.

**77.**—(1) In any case in which the Company are by virtue of any enactment relating to the undertaking authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Company without prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Company) and any person who shall re-connect such service pipe with the meter without the consent of the Company shall be deemed to commit an offence within the meaning of section 18 of the Gasworks Clauses Act 1847 :

Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 of the Gasworks Clauses Act 1871.

(2) For the purposes of this section the Company (subject to the provisions of section 22 of the Gasworks Clauses Act 1871) shall have and may exercise the like powers of entry as are exerciseable under that section.

Power to  
recover cost  
of cutting  
off supplies.

**78.** In any case in which the Company lawfully cut off a supply of gas by reason of any act omission or default of a consumer or any other person they may recover from the person to whom the supply was theretofore furnished or from any other person on account of whose act omission or default such supply was cut off

(as the case may be) the reasonable expenses incurred by them in such cutting off in like manner as charges for gas are recoverable by the Company. A.D. 1929.

**79.** In any case in which in consequence of any default on the part of the occupier of any premises the Company have cut off the supply of gas to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Company the reasonable expenses of reconnecting the supply and the Company shall not be under any obligation to supply gas to such occupier until he shall have made good the default and paid such expenses. Expenses of reconnecting discontinued supply.

**80.** The power to enter premises in order to inspect meters fittings and works for the supply of gas and for the purpose of ascertaining the quantity of gas consumed or supplied conferred upon the Company by section 21 of the Gasworks Clauses Act 1871 shall extend to all premises in which there is any service pipe connected with the gas mains of the Company except where the occupier of the premises shall have applied in writing to the Company for the disconnection of the service pipe from the mains of the Company : Power to enter premises to which a supply of gas is laid on.

Provided that nothing contained in this section shall apply to any fittings or works belonging to the London and North Eastern Railway Company or the London Midland and Scottish Railway Company (each of which companies is in this proviso referred to as "the railway company") and laid or placed or intended to be laid or placed in any premises (not being a dwelling-house) of the railway company forming part of the railway premises of the railway company.

**81.** Unless at the date of the demand for any such new or increased supply of gas as is hereinafter referred to the capacity of the distribution works of the Company is in the opinion of an arbitrator appointed as hereinafter provided insufficient to meet (with a reasonable margin) the requirements (as existing immediately before that date) of the consumers in the portion of the limits of supply for which such works have been provided (so far as such requirements could reasonably have been foreseen) the Company notwithstanding anything contained in any other enactment shall not be obliged Relief from obligation to supply.

A.D. 1929. to give for any purpose other than lighting or domestic use—

- (a) a new supply of gas for the premises of any person demanding such supply at any time after the appointed day; or
- (b) an increased supply of gas (other than an increased supply necessitated by any reduction of the declared calorific value of the gas);

where the giving of such new or increased supply would render necessary the laying of a new main or the making (as an alternative to the laying of a new main) of any enlargement or alteration of or addition to the distribution works of the Company. Provided that the foregoing provisions of this section shall not apply in any case in which the person demanding the new or increased supply (in this section referred to as "the applicant") shall enter into a written contract with the Company—

- (i) to receive and pay for a supply of gas of such minimum quantity and for such minimum period as the Company may reasonably require; or
- (ii) to make such payment or payments to the Company (in addition to any payments to be made from time to time for gas supplied to the applicant) as the Company may reasonably require;

(according as the Company may in their discretion determine) in consideration of or by way of contribution towards the expenses to be incurred by the Company in laying such new main or making such enlargement alteration or addition as aforesaid and shall give such security for the payment of all moneys which may become due under the contract as the Company may reasonably demand. If any question shall arise under the provisions of this section between the Company and the applicant as to the sufficiency of the distribution works of the Company or as to whether such new or increased supply would necessitate the laying of a new main or the making of any such enlargement alteration or addition as aforesaid or as to the reasonableness of the minimum quantity or period or of the payments (in addition to payments for gas supplied)

required by the Company or as to the nature or amount of the security demanded by the Company such question shall be referred to and determined by an arbitrator to be appointed (failing agreement between the Company and the applicant) by the Board of Trade on the application of either party after notice in writing to the other of them and the decision of such arbitrator shall be final and binding. In determining any such question as aforesaid the arbitrator shall have regard to the following among other considerations (that is to say) :—

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- (a) the total annual quantity of gas required by the applicant the maximum quantity required per hour and the hours of the day during which the Company may be called upon to supply gas to the applicant;
- (b) the capital expenditure which the Company would have to incur in the laying of a new main or the making of any enlargement or alteration of or addition to their distribution works as aforesaid in connection with the giving of such new or increased supply; and
- (c) how far such capital expenditure may become unproductive to the Company in the event of the cesser of the new or increased supply.

Subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any arbitration under this section.

**82.** When at the request and for the convenience of any consumer the reading of any meter in any premises takes place at a time other than that of the usual periodical reading the Company may levy and recover such charges as they think fit not exceeding the sum of one shilling for each such special reading.

Charges for special reading of meters.

**83.** The following provisions for the protection of the London and North Eastern Railway Company and the London Midland and Scottish Railway Company (each of which companies is in this section referred to as "the railway company") shall unless otherwise agreed in writing between the Company and the railway Company apply and have effect with respect to the exercise by the Company of the powers conferred on the Company by the section of this Act of which the

For protection of London and North Eastern and London Midland and Scottish Railway Companies.

A.D. 1929. marginal note is "Power to lay pipes for ancillary purposes" and with respect to any works to be executed by the Company in exercise of such powers :—

- (1) In laying and also (except in cases of emergency) in effecting renewals of any mains pipes culverts or other works (hereinafter referred to as "the authorised works") over upon across or under any work or property of the railway company the Company shall execute such works in accordance with plans sections and specifications previously submitted to and reasonably approved by the engineer of the railway company Such authorised works and repairs thereof shall be executed with all reasonable dispatch and under the direction and superintendence (if the same be given) and to the reasonable satisfaction of the said engineer :

Provided that if the said engineer does not express his approval or disapproval of the said plans sections and specifications within twenty-eight days after the same shall have been submitted to him he shall be deemed to have approved thereof :

- (2) The Company shall with all reasonable dispatch restore and make good to the reasonable satisfaction of the said engineer the railway and other property of the railway company and the roads of or maintainable by the railway company so far as the same may be disturbed or interfered with by or in connection with the authorised works :
- (3) If the railway company so elect they may themselves execute and maintain the authorised works over or under any railway or works of the railway company or in any roads of or maintainable by the railway company other than the actual laying down and maintenance of mains and pipes and may recover from the Company the reasonable expenses incurred by the railway company in connection therewith :
- (4) The authorised works shall be constructed executed and maintained so as not to cause



any injury or damage to the railway or other property of the railway company or any interruption to the passage or conduct of traffic over such railway or at any station thereof and if any such injury damage or interruption arises from the acts or operations of the Company or by reason of the failure of the Company to maintain the authorised works or from the bursting leakage or failure of the authorised works not being due to the acts or defaults of the railway company their servants or agents all such injury or damage shall forthwith be made good by the Company or if the railway company so elect by the railway company at the expense of the Company and the Company shall indemnify the railway company from all claims in respect of any such injury damage or interruption as aforesaid which shall not have been caused by the acts or defaults of the railway company their servants or agents :

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- (5) In the event of the Company failing to maintain the authorised works where they pass under over or in any way affect the railway or other property of the railway company in substantial repair and good order to the reasonable satisfaction in all respects of the said engineer or in case of emergency involving the risk of injury to the railway or property of the railway company the railway company may make good the same and make and do in and upon the lands of the Company or their own lands all such repairs and things as may be reasonably requisite and recover from the Company the reasonable expenses incurred by them in connection therewith :
- (6) If it should be necessary during or by reason of the construction of the authorised works or in effecting repairs or renewals thereof to alter any of the telegraph telephone or signal posts or wires or other works or apparatus belonging to or on the railway of the railway company the railway company may effect such alterations and the Company shall repay to

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them the reasonable expenses incurred by them in connection with such alterations :

- (7) The Company shall bear and on demand pay to the railway company the reasonable expense incurred by the railway company of and in connection with the employment by them during the construction repair or renewal of the authorised works over under or across the railway or other property of the railway company of a sufficient number of inspectors signalmen or watchmen to be appointed by the railway company for watching and protecting the said railway and the conduct of the traffic thereon with reference to and during the construction repair or renewal of the authorised works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Company or their contractors or any person or persons in the employ of the Company or their contractors :
- (8) If at any time it is found necessary in order to enable the railway company under powers existing at the date of this Act to carry out any alterations widenings or extensions of their existing railway or works that the position of the authorised works shall be altered the Company shall on receiving not less than one month's notice in writing from the said engineer so to do at the Company's own cost and with all reasonable dispatch alter the position of the same in accordance with plans sections and specifications previously submitted by the Company to and reasonably approved by the railway company or their engineer so far as may be reasonably necessary (but so as not to interrupt or interfere with the supply of gas) to enable the railway company to carry out such alterations widenings or extensions and the provisions of this section shall apply to the authorised works in their altered position :
- (9) Any additional expense which the railway company may reasonably incur in widening altering reconstructing repairing or maintaining their

railway or other works under their powers as existing at the date of this Act by reason of the existence of the works of the Company upon or across over or under the same shall be paid by the Company :

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- (10) Any difference arising between the Company and the railway company respecting any of the matters referred to in this section shall be referred to and determined by an arbitrator to be agreed upon by the railway company and the Company or failing agreement to be appointed at the request of either party after notice in writing to the other by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

## PART VII.

### HEAT UNIT BASIS FOR GAS SUPPLY.

**84.** For the purposes of this Act the number of therms supplied by the Company to any consumer shall be ascertained from time to time by multiplying the number of British thermal units comprised in the declared calorific value of the gas by the number of cubic feet thereof supplied to that consumer and dividing the resulting sum by one hundred thousand.

Measure of  
therms  
supplied.

**85.** Until such time as the Company shall become entitled as provided by this Act to supply gas of a different calorific value the calorific value of the gas supplied by the Company shall be four hundred and fifty British thermal units.

Calorific  
value of gas.

**86.** If at any time after the appointed day the Company desire to supply gas of a different calorific value from that which they are then supplying the Company shall by advertisement in the London Gazette and by notice in writing to the Board of Trade and to the Essex County Council and to the council of each borough and urban district within or partly within the limits of supply and to each consumer of gas supplied by the Company declare their intention to supply at the expiration of three months from the date of such notice or at such later date as may be specified in such notice gas

Declaration  
of calorific  
value.

A.D. 1929. — of such different calorific value as may be declared in such advertisement and notice and the calorific value as so declared by the Company shall thereafter be the declared calorific value for the purposes of this Act unless and until varied by subsequent declaration under the provisions of this Act.

Adjustment  
of consu-  
mers' appli-  
ances.

**87.** If and so often as the Company shall declare their intention to supply gas of a different calorific value from the calorific value which they are supplying at the date of such declaration the Company shall effect any re-adjustment or replacement of consumers' appliances which may be required in consequence of such alteration of calorific value and so that the gas supplied can be burned in such appliances with safety and efficiency except in the case of a consumer who objects to such adjustment or replacement. On each such occasion the Company shall carry out such adjustments and replacements as they are by this section required to effect within six months from the date when they commence to effect the same and without charge to the consumer.

Pressure of  
gas.

**88.** The minimum pressure of gas supplied by the Company shall in any main or in any pipe laid between the main and the meter having an internal diameter of two inches or upwards be such as will balance a column of water not less than two inches in height :

Provided always that—

- (a) whenever the declared calorific value is less than three hundred and fifty British thermal units the minimum pressure of the gas supplied by the Company in any such main or pipe as aforesaid shall be such as will balance a column of water not less than two and a half inches in height; and
- (b) whenever the declared calorific value is less than three hundred British thermal units the minimum pressure of gas supplied by the Company in any such main or pipe shall be such as will balance a column of water of such height not being less than three inches as shall be prescribed by the gas referees.

As to appli-  
cation of  
Act of 1920.

**89.** The following sections or parts of sections of the Act of 1920 (as amended by any subsequent Act) shall apply to the Company as if the provisions of this

Part and of Part VIII (Price of gas and application of profits) of this Act were an order made under section 1 of that Act in relation to the Company (namely):—

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Subsection (7) of section 1 (Power to substitute new basis of charges) as amended by the Gas Undertakings Act 1929;

Subsection (1) of section 2 (Composition and pressure of gas to be supplied);

Section 4 (Appointment of gas referees and examiners) as amended by the Gas Undertakings Act 1929;

Section 5 (Power to prescribe tests);

Section 6 (Appeals to chief gas examiner);

Subsections (3) and (4) of section 7 (Remuneration and expenses of gas referees);

Section 8 (Penalties for failure to comply with prescription of gas referees);

Section 9 (Forfeiture for deficient calorific value &c.);

Section 11 (Fees for examination of meters);

Section 12 (Application of ss. 5 & 6 of 4 Edw. VII. c. 28);

Section 13 (Meters to be stamped);

Section 15 (Accounts and returns);

Section 16 (Power to make rules);

Section 18 (Definitions); and

Section 20 (Expenses of local authorities).

Save as aforesaid the provisions of the Act of 1920 (other than section 10 of that Act) shall not apply to the Company.

### PART VIII.

#### PRICE OF GAS AND APPLICATION OF PROFITS.

**90.**—(1) Subject to the provisions of this Act the basic prices of gas supplied under the powers of this Act shall be—

Basic prices.

(a) elevenpence per therm for gas supplied in the inner area; and

(b) eleven decimal six pence per therm for gas supplied in the outer area.



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(2) The said prices are in relation to the inner area and the outer area respectively referred to in this Act as "the basic price."

Revision of  
basic prices.

91.—(1) If at any time after three years from the appointed day it is shown to the satisfaction of the Board of Trade that the costs and charges of and incidental to the production and supply of gas have substantially altered from circumstances beyond the control of or which could not reasonably have been avoided by the Company the said Board may if they think fit on the application of the Company or of the local authority make an order correspondingly revising the basic prices prescribed by this Act and on the making of any such order this Act shall have effect as if the basic prices fixed by such order were substituted for the basic prices prescribed by this Act :

Provided that this subsection shall be read and construed as if the provisions thereof had been amended or extended in the same manner and to the same extent mutatis mutandis as any amendment or extension of subsection (3) of section 1 of the Act of 1920 which may have been or may be effected by any Act passed or to be passed.

(2) The basic prices fixed by any order made by the Board of Trade under this section may from time to time be revised by orders made by the said Board in the like circumstances on the like application and with the like consequences as in the case of an order under subsection (1) of this section.

(3) Before making any order under this section the Board of Trade shall require the Company to give public notice in the London Gazette and in such other manner as the Board may consider best adapted for informing persons affected of the application for an order and of the basic prices per therm proposed and as to the manner in which and time within which objections may be made and shall where they think it expedient to do so cause an inquiry to be held. The notice to be given under this section shall include notice to the local authority.

(4) In this section the expression "local authority" has the meaning assigned to that expression by the Act of 1920.

**92.**—(1) The Company may subject to and in accordance with the provisions of this Act charge for gas supplied by them in the inner area and the outer area respectively a price greater or less than the basic price but except as by this Act otherwise provided the Company shall not declare any larger dividend on any ordinary stock of the Company than a dividend at the rate of five pounds per annum in respect of every one hundred pounds of such ordinary stock for the time being paid up.

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Limitation  
of divi-  
dends.

(2) The said rate of dividend is in this Act referred to as “the basic rate.”

**93.** The Company may from time to time charge for gas supplied by them in the outer area a price per therm exceeding by not more than decimal six of a penny the price per therm for the time being charged by them for gas supplied in the inner area :

Differential  
price.

Provided that—

- (a) if on the first day of January one thousand nine hundred and thirty-seven the Company are charging a differential price under the powers of this section the Company or the Essex County Council may in writing represent to the Board of Trade that having regard to the cost to the Company of supplying gas to consumers in the inner area and the outer area respectively the differential price chargeable pursuant to this section should be varied in amount or cease to be chargeable ;
- (b) contemporaneously with the submission of any such representation to the Board of Trade the party making the same shall send a copy thereof to the other party ;
- (c) the Board of Trade shall consider any such representation and any other representations with reference thereto which may be submitted to them by the said party other than the party making the original representation and the said Board if satisfied that having regard to such costs as aforesaid it is proper so to do and after holding such inquiry (if any) as they may think fit may make an order to take effect as from such date or

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respective dates as may be prescribed in the order varying the amount of the said differential price or providing for the discontinuance thereof within such period and in such manner as may be prescribed by the order;

- (d) any order made by the Board of Trade under this proviso shall have effect as if enacted in this Act subject to the powers of the Board of Trade from time to time on a like application as aforesaid to make an order amending any previous order made by them under this proviso but no application for an amending order shall be made until after the expiration of five years from the date of any representation made under the foregoing paragraph (a) or from the date of any previous application for an amending order.

Division of profits.

**94.** The following provisions shall have effect with respect to the division of the profits of the Company (that is to say) :—

- (1) At the end of each year or half year a sum shall be calculated representing the amount (if any) by which the total amount payable by consumers or purchasers of gas supplied by the Company during such year or half year has been less than the amount which would have been payable if the gas so supplied had been charged for at the basic price and for the purposes of this paragraph the amount payable by a consumer of gas supplied through a prepayment meter shall be deemed to be the amount which would have been payable if the gas so supplied had been supplied through an ordinary meter :
- (2) If and so far as the balance standing to the credit of the net revenue account (after providing for dividend on the preference stock of the Company and dividend at the basic rate on the ordinary stock of the Company) in the opinion of the directors permits a sum not exceeding one-third of the sum calculated pursuant to the foregoing paragraph (1) shall be applied in two

equal parts for the benefit of the holders of ordinary stock and for the benefit of the employees under agreement in manner hereinafter mentioned :

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- (3) Any sum so to be applied for the benefit of the holders of ordinary stock may be applied in the payment of dividend at a rate additional to the basic rate and if and so far as not so applied shall be carried to the reserve fund :
- (4) The sum so to be applied for the benefit of the employees under agreement shall be so applied in such manner as the directors may from time to time determine :
- (5) Any balance of the profits of the Company not applied as aforesaid shall be carried forward to the credit of the net revenue account for the next following year or half year Provided that the sum so carried forward shall not exceed the total of the following amounts :—

(a) the amount required by the Company for paying any dividend on preference capital (if any) or ordinary capital or interest on moneys borrowed for the purposes of the undertaking which the Company are entitled or required to pay but have not paid in respect of the year or half year preceding such following year or half year ;

(b) an amount equal to the total sum which will be required for paying one year's dividend on the preference capital (if any) of the Company and one year's dividend at the basic rate on the ordinary capital of the Company ; and

(c) an amount equal to the total sum which the Company will be required to pay during the next following year or half year as interest on any mortgages or debenture stock.

**95.** Notwithstanding anything contained in this Act—

- (a) where the indices of the meter registering the supply of gas to any consumer are read for the Christmas quarter of the year one thousand nine hundred and twenty-nine on or before the thirty-

Provisions where meter indices are read before or after appointed day.

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first day of December in that year all gas supplied to that consumer through such meter after the date of such reading shall for the purposes of this Act be deemed to have been supplied by the Company on or after the appointed day;

- (b) where the indices of the meter registering the supply of gas to any consumer are read for the said quarter at any time after the said thirty-first day of December all gas supplied to that consumer through such meter up to the date of such reading shall for the purposes of this Act be deemed to have been supplied by the Limited Company before the appointed day.

Interim  
dividends  
and annual  
accounts.

**96.**—(1) The directors may on or after the thirtieth day of June in any year without the sanction of a general meeting declare and pay an interim half-yearly dividend out of the funds of the Company applicable to dividend on any class of stock in the capital of the Company on account of the dividend for that year to be declared at the next following annual general meeting but no such interim dividend shall as respects any ordinary stock exceed the rate of dividend on such stock in respect of such half year as ascertained pursuant to the sections of this Act of which the marginal notes are respectively “Limitation of dividends” and “Division of profits” and no such interim dividend shall as respects any preference stock exceed one-half of the preferential annual rate of dividend assigned to such stock.

(2) Section 116 of the Companies Clauses Consolidation Act 1845 shall in its application to the Company be read as if the words “preceding year” were substituted therein for the words “preceding half year.”

## PART IX.

### RESERVE AND OTHER FUNDS.

Reserve  
fund.

**97.**—(1) Any moneys which the Company are by this Act authorised to carry to the reserve fund may be invested in such securities as the directors may from time to time determine and the dividends and interest arising from such securities may be invested in like manner in order that the same shall accumulate at compound interest.



(2) The fund so formed shall be called "the reserve fund" and shall be applicable in or towards increasing beyond the basic rate the dividend on the ordinary stock of the Company for any year or half year or in or towards the payment of dividend for any year or half year in which the profits of the Company shall be insufficient to enable the Company to pay dividend at the basic rate on the ordinary stock of the Company or to such other purpose or purposes as the directors may determine.

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(3) The money and securities standing to the credit of the reserve fund of the Limited Company shall be credited to the reserve fund provided for by this Act and save as is by this Act provided no sum shall in any year or half year be carried by the Company to any reserve fund.

**98.**—(1) The directors may if they think fit in any year appropriate out of the revenue of the Company as part of the expenditure on revenue account any sum not exceeding an amount equal to one per centum of the aggregate of the paid up capital of the Company (including premiums) the amount outstanding of the debenture bonds referred to in the section of this Act of which the marginal note is "As to debenture bonds of Limited Company" and of any loans raised by the Company on mortgage or by the creation and issue of debenture stock and carry the same to a fund to be called "the special purposes fund."

Special  
purposes  
fund.

(2) The special purposes fund shall be applicable only to meet such charges as an accountant appointed for the purpose by the Board of Trade shall approve as being—

- (a) expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or
- (b) expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works.

(3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth part of the aggregate of the paid up capital of the Company (including premiums) the amount outstanding of the debenture bonds referred to in the section of this Act of which the marginal note

A.D. 1929. — is “As to debenture bonds of Limited Company” and of any loans raised by the Company on mortgage or by the creation and issue of debenture stock.

(4) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Company to which capital is properly applicable or may be used partly in the one way and partly in the other.

(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of that fund is for the time being less than the maximum allowed by this section.

(6) The money or securities standing to the credit of the special purposes fund of the Limited Company shall be credited to the special purposes fund authorised by this section.

(7) The special purposes fund may be maintained at any amount to which it has lawfully been raised in pursuance of this section notwithstanding any subsequent reduction in the amount of outstanding loans.

Renewal  
fund.

**99.**—(1) The directors may if they think fit in any year appropriate out of the revenue of the Company as part of the expenditure on revenue account any sum not exceeding an amount equal to one per centum of the paid up capital of the Company including premiums to a fund to be called the “renewal fund.”

(2) The renewal fund shall be applicable only to meet expenses requisite for the maintenance and renewal of plant and works (other than expenses incurred in the replacement or removal of plant or works) and shall be so applied from time to time for the purpose of equalising so far as may be the annual charge to revenue in respect of such expenses.

(3) The maximum amount standing to the credit of the renewal fund shall not at any time exceed an amount equal to one-twentieth part of the paid up capital of the Company including premiums.

(4) The money or securities standing to the credit of the renewal fund of the Limited Company shall be credited to the renewal fund authorised by this section.

**100.** The money or securities standing to the credit of the depreciation fund of the Limited Company for works on leasehold lands shall be credited to a fund to be formed by the Company for the like purpose.

A.D. 1929.

As to de-  
preciation  
fund of  
Limited  
Company.

## PART X.

### PROFIT SHARING &C.

**101.**—(1) The directors may with the sanction of a majority of the votes of the proprietors of the Company present in person or by proxy and entitled to vote and voting at an extraordinary general meeting of the Company prepare and put into force and may from time to time modify alter or rescind a scheme or schemes enabling the employees or any class or classes of the employees as may be defined in the scheme or schemes to participate in the profits of the undertaking or any part of those profits as part of the terms of remuneration for the services of such employee :

Profit  
sharing.

Provided that no such modification alteration or rescission of any such scheme shall have any retrospective effect so as to deprive any employee without his consent of any benefit accrued due to him under such scheme before the date of such modification alteration or rescission.

(2) Any agreement as to service in pursuance of any such scheme may be entered into with any employee not being under the age of sixteen years and shall be in writing and may be made on the part of the Company under the hands of any two directors or under the hand of the secretary of the Company or any person from time to time appointed in that behalf by resolution of the directors.

(3) Notwithstanding anything contained in any Act or Order relating to the Company the directors may if and whenever required by any persons being the trustees under any such scheme so to do issue to any employee such amount of ordinary stock of the Company (not being less than one pound or a multiple of one pound) as the trustees may specify (being in each case within the limit of the amount of ordinary stock which the Company may for the time being be authorised to issue) without offering such stock for sale by public auction or tender :

A.D. 1929.

Provided that any stock issued under the provisions of this section shall be issued at the average price at which according to the books of the Company sales of ordinary stock were effected within the period of three months immediately preceding the issue or if there has been only one sale or no sale of ordinary stock then at the price at which the last sale of such stock was effected making due allowance in each case for any enhancement in price by reason of any accrued dividend. The price at which such stock is to be issued shall be determined by the trustees under any such scheme in accordance with the provisions of this subsection.

(4) The directors may also pursuant to any such scheme accept on deposit on behalf of any employee any savings or other sums of money belonging to such employee and pay interest thereon out of the revenues of the Company.

Regulations affecting profit sharing scheme.

**102.**—(1) The regulations respectively set forth in Parts I and II of the Third Schedule to this Act shall apply and have effect in relation to (a) any stock or money belonging to any person or to which any person may be entitled under the terms of any scheme which may be established enabling the employees or any of them to participate in the profits of the Company and (b) to any money deposited with the Company by any employee pursuant to any such scheme. The said regulations shall come into force on the date on which any such scheme as aforesaid comes into operation.

(2) The Board of Trade if they think fit may at the request of the Company by order revoke alter or add to any of the said regulations or make any new regulations which in the view of the Board would be conducive to the efficient working of any such scheme for the time being established or in other respects convenient.

Superannuation scheme.

**103.**—(1) The Company may establish and carry into effect a scheme or schemes for the provision of superannuation allowances for their employees and may by any such scheme provide for the making of contributions by the Company and by such employees to such fund and for the investment of moneys for the time being forming part of any such fund and the accumulation of interest or dividends on such investments by way of compound interest.

(2) Notwithstanding anything contained in the Superannuation and other Trust Funds (Validation) Act 1927 (in this section referred to as "the Validation Act") any superannuation fund established by the Company under the powers of this section shall be deemed to be qualified for registration under the Validation Act and any such fund and the rules thereof shall be registered under that Act. A.D. 1929.

(3) The Validation Act in its application to the said fund shall be read and have effect as if the Company and the secretary of the Company had been referred to therein respectively in lieu of the trustees and the secretary of a fund to which that Act applies.

(4) Paragraphs 2 3 and 8 of the schedule to the Validation Act shall not apply to any such fund.

**104.**—(1) The Company may grant pensions or gratuities or make other allowances or payments to any employees of the Company or the dependants of any such employee or may make contributions to any fund established by their employees for the payment of pensions or superannuation allowances or for the benefit of such dependants and may charge their funds and revenues with such payments or contributions. Power to grant pensions &c. to employees &c.

(2) The directors may enter into and carry into effect agreements with any insurance company or other association or company for securing any such pensions gratuities allowances or payments and may for all or any of the purposes of this section apply the revenues of the Company.

**105.** The directors may subscribe or make donations to infirmaries or hospitals and to convalescent homes and similar institutions and to any charitable objects and to any industrial exhibitions relating to any of the objects of the Company and to benevolent and sick funds of the employees of the Company and may for any of those purposes apply the revenue of the Company. Power to directors to make donations subscriptions &c.

## PART XI.

### MISCELLANEOUS.

**106.**—(1) The Company and any undertakers authorised to supply gas under parliamentary powers in any district adjacent to the limits of supply may Agreements between Company and other



A.D. 1929. with the approval of the Board of Trade enter into  
— and carry into effect agreements with each other for  
gas under- all or any of the following purposes :—  
takers.

The use or the participation in the use of or in any benefit of any premises plant organisation operations or other facilities belonging to enjoyed by carried on or provided wholly or partly by the Company in relation to the manufacture and sale of gas or products arising in such manufacture or the provision of any such facilities ;

The purchase transport landing and delivery of coal and the dispatch or disposal of residual products arising in the manufacture of gas ;

The carrying out of scientific research in relation to coal and such residual products as aforesaid ;

The extension provision and maintenance or use of any laboratories and apparatus for such research and the use or benefit of any results or discoveries arising thereby ;

The provision of any buildings works or plant for the purpose of enabling either party to such agreement to give a supply of gas in bulk to the other of them ;

The provision of moneys for carrying into effect any such agreement ; and

Any matters or things incidental to or connected with any of the purposes aforesaid.

(2) The Company and any undertakers entering into any such agreement shall remain and be subject to all and the same obligations and liabilities to all persons not being parties to any such agreement as they would have been subject to if such agreement had not been entered into.

(3) The Company and any undertakers when submitting to the Board of Trade any proposals for an agreement under this section shall furnish particulars of such proposals to every local authority having jurisdiction either within the limits of supply of the Company or of the undertakers who are a party to any such agreement and the said local authorities shall be entitled to make representations to and be heard

by the Board of Trade thereon before the agreement embodying such proposals is approved by the said Board. A.D. 1929.  
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(4) Nothing in this section shall empower the Company or any such undertakers as aforesaid to work up and convert residual products arising from the manufacture of gas except in accordance with the provisions of and subject to the restrictions imposed by the Acts or Orders by which the Company or such undertakers are authorised to work up and convert residual products.

**107.** Any agreement entered into under the section of this Act of which the marginal note is "Agreements between Company and other gas undertakers" may provide that any consideration in the nature of a capital payment and payable thereunder by either of the parties thereto to the other of them may be satisfied wholly or in part by the allotment of such shares or stock or such debentures or debenture stock as shall be agreed upon between the parties or partly by the one and partly by the other of such modes as may be so agreed and thereupon it shall be lawful for either of the parties to issue such shares stock or debentures or debenture stock accordingly and all shares or stock so issued shall for all purposes be deemed fully paid up :

Securities  
may be  
taken as  
considera-  
tion.

Provided that in estimating the extent to which any such consideration is satisfied by any shares or stock issued under the provisions of this section the shares or stock shall be taken at the average price at which according to the books of the Company or the undertakers issuing the same sales of similar shares or stock were effected within the period of six months immediately preceding the issue thereof or if there has been only one sale or no sale of similar shares or stock within the said period then at the price at which the last sale of similar shares or stock was effected making due allowance in each case for any enhancement of value by reason of any accrued dividend.

The price at which such shares or stock are or is to be issued shall be determined in accordance with the provisions of this section.

**108.** In any case in which the Company and any other company have entered into any agreement authorised by this Act the Company may effect exchanges

Loans to  
other com-  
panies and

A.D. 1929. — exchange of securities and subscription for shares. of stock or securities of the Company with proprietors of stock shares or securities of such other company and may lend money to such other company to such extent as in the opinion of the directors of such other company will be of advantage for furthering the purposes of such agreement including a reduction in the price of gas and may subscribe for purchase hold and dispose of shares stock or securities in such other company.

Company may contract for supply and purchase in bulk. **109.** The Company may contract with any local authority company or persons for the supply by the Company to them or for the supply to the Company by them of gas in bulk upon such terms and conditions as may be agreed upon but nothing in this section shall authorise the Company to lay any mains or interfere with any street beyond the limits of supply :

Provided that the Company shall not supply gas under any such contract beyond the limits of supply if and so long as such supply would interfere with the supply of gas within those limits.

Determination of remuneration of secretary. **110.** In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 they may determine the remuneration of the secretary of the Company.

Register of shareholders and shareholders' address book. **111.** Notwithstanding anything in the Companies Clauses Consolidation Act 1845 it shall not be obligatory upon the Company—

(a) to keep separately a register of shareholders and a shareholders' address book but in lieu thereof the Company may if they think fit keep one register only containing such particulars as are required by the said Act to be entered in the register of shareholders and the shareholders' address book respectively; or

(b) to authenticate by the affixing of their common seal or otherwise the register of shareholders or any register which the Company may keep in lieu thereof under the powers of this section.

Licences for patents. **112.—(1)** The Company may acquire hold and use any patent rights not being exclusive rights or licences for the use of or inventions in relation to the manufacture supply or distribution of gas or the conversion manufacture or utilisation of residual products obtainable in or arising from such manufacture or from the materials used therein.

(2) Notwithstanding anything contained in any enactment a patent may on the application of the Company and of the inventor of any invention relating to the business of the Company be granted to the Company and such inventor jointly and in any such case the Company and the said inventor shall respectively have all the rights and remedies of joint grantees of a patent under the Patents and Designs Acts 1907 to 1928 or any statutory modification thereof for the time being in force.

**113.** If any person is required by the Company to give to them security for any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit the Company shall pay interest at the rate of five per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Company to pay interest on money deposited as security for gas meter &c.

**114.** The directors may close any register of transfers for a period not exceeding fourteen days previous to the declaration of any interim or other dividend or to the date on which interest on the stock to which the register relates shall be payable and they may fix a day for closing the same of which seven days' notice shall be given by advertisement in some newspaper published or circulating within the limits of supply and any transfer made during the time when the transfer book in which the same is to be registered is so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend or to the date on which the interest is payable.

Closing of transfer books.

**115.** Where any debenture stock of the Company whether issued before or after the passing of this Act is registered in the names of more than one person as holders thereof the receipt of any of the registered holders of such debenture stock shall in the event of no notice to the contrary being served upon the Company from the other or others of such registered holders be a sufficient discharge to the Company for any interest payable in respect of such debenture stock the receipt whereof is acknowledged by such receipt.

As to receipts for interest on debenture stocks standing in more than one name.

**116.** If any money is payable to a stockholder or debenture stockholder being a minor idiot or lunatic

Receipt in case of persons not sui juris.

A.D. 1929. — the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Authentica-  
tion and  
service of  
notices by  
Company.

**117.** Any notice to be served by the Company on a person supplied with gas shall be sufficiently authenticated by the signature of the secretary or other officer of the Company for the time being authorised in writing by the directors being affixed thereto in writing or in print or by a stamp and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises.

As to proof  
of service of  
notices upon  
consumers.

**118.** In any case in which the Company are required to serve any notice upon or give notice to the consumers of gas supplied by them in the whole or any part of the limits of supply the Company shall not for any purpose be required to furnish proof of the service of such notice upon or the giving of such notice to any particular consumer or consumers if they shall have advertised such notice in the London Gazette and in such newspaper or newspapers published or circulating within the limits of supply or within that part of the limits of supply to which the said notice relates as will in the opinion of the directors best give publicity to the said notice.

Recovery of  
demands.

**119.** Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Several  
sums in one  
summons.

**120.** Where the payment of more than one sum by any person is due under the provisions of this Act any summons or warrant issued for the purposes of this



Act in respect of that person may contain in the body thereof all sums payable by him. A.D. 1929.  
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**121.** All things required or authorised under this Act or any enactment incorporated therewith or applied thereby to be done by the Board of Trade may be done by the President or secretary or assistant secretary of the Board or any person authorised in that behalf by the President of the Board. Exercise of powers of Board of Trade.

**122.** The 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 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 the like penalty Every penalty under this section shall be recoverable summarily. Copy of Act to be registered.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Acts 1908 to 1928 on registration of any document other than the memorandum or the abstract required to be filed with 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.

**123.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands without the consent in writing of those commissioners on behalf of His Majesty first had and obtained for that purpose. Crown rights.

**124.** All 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 and may in whole or in part be charged against revenue. Costs of Act.

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The SCHEDULES referred to in the foregoing Act.

## FIRST SCHEDULE.

### ACTS AND ORDERS REPEALED.

Session and Chapter of Act or Number of Order.	Title or Short Title.	Extent of Repeal.
37 & 38 Vict. c. lxxxvii.	The Romford Gas Order 1874 confirmed by the Gas and Water Orders Confirmation Act 1874.	The whole of each Order and so much of each Act as relates thereto.
52 & 53 Vict. c. lxiy.	The Romford Gas Order 1889 confirmed by the Gas Orders Confirmation Act 1889.	
63 & 64 Vict. c. clxxi.	The Romford Gas Order 1900 confirmed by the Gas Orders Confirmation (No. 1) Act 1900.	
4 Edw. 7. c. clxv.	The Romford Gas Order 1904 confirmed by the Gas Orders Confirmation (No. 2) Act 1904.	
S.R. & O. 1921 No. 392.	The Romford Gas and Coke Company Limited (Capital Issues) Consent 1921.	The whole consent.
S.R. & O. 1921 No. 1999.	The Romford Gas (Charges) Order 1921.	The whole of each Order.
S.R. & O. 1922 No. 400.	The Romford Gas Order 1922 - - -	

## SECOND SCHEDULE.

### PART I.

Lands in the urban district of Romford in the county of Essex comprising an area of seven acres or thereabouts bounded on the east by Nursery Walk on the north partly by lands belonging or reputed to belong to the London and North Eastern Railway

Company and partly by other lands belonging or reputed to belong to the Limited Company and first described in Part II of this schedule (hereinafter referred to as "the Romford storage lands") on the west partly by the eastern boundary of the Romford storage lands and partly by a straight line drawn in continuation of the western boundary of the Romford storage lands in a southerly direction and extending for a distance of 124 yards or thereabouts from the south-western corner of the Romford storage lands and on the south by a line drawn from the southern extremity of the last-mentioned straight line and extending in an easterly direction for a distance of 125 yards or thereabouts and thence in a south-easterly direction for a distance of 50 yards or thereabouts to a point in Nursery Walk 104 yards or thereabouts measured in a northerly direction from the point of intersection of the centre lines of Nursery Walk and Crow Lane.

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## PART II.

1. Lands in the said urban district of Romford (being the lands hereinbefore referred to as "the Romford storage lands") comprising an area of two roods or thereabouts bounded on the north-west and west by lands belonging or reputed to belong to the London and North Eastern Railway Company on the south by a straight line drawn in an easterly direction in continuation of the southern boundary of the last-mentioned lands and extending for a distance of 50 yards or thereabouts and on the east by a straight line drawn from the eastern extremity of the last-mentioned straight line in a northerly direction and extending to a point in the southern boundary of the said lands belonging or reputed to belong to the said railway company 150 yards or thereabouts measured in a westerly direction from the western side of Nursery Walk.

2. Lands in the parish of Upminster in the rural district of Romford in the said county of Essex comprising one rood three and a half poles or thereabouts bounded on the north by the Barking and Pitsea line of the London Midland and Scottish Railway Company on the east by lands belonging or reputed to belong to Charles Saward on the west by the Ingrebourne Brook and on the south by the public road leading from Hornchurch to Upminster.

## PART III.

Lands in the said urban district of Romford comprising an area of nine acres two roods and twenty-six poles or thereabouts bounded on the north partly by lands belonging or reputed to belong to the London and North Eastern Railway Company

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and partly by the lands described in Part I of this schedule on the east partly by the western boundary of the last-mentioned lands and partly by Nursery Walk on the south by Crow Lane and on the west by a straight line drawn from a point in the northern side of Crow Lane 257 yards or thereabouts measured in a westerly direction from the point of intersection of the centre lines of Nursery Walk and Crow Lane and extending in a northerly direction for a distance of 252 yards or thereabouts to a point in the said southern boundary of the property of the said railway company 305 yards or thereabouts measured in a westerly direction from the western side of Nursery Walk.

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### THIRD SCHEDULE.

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#### REGULATIONS AFFECTING PROFIT SHARING SCHEME.

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##### PART I.

##### REGULATIONS AS TO DISPOSAL OF STOCK &C.

Definitions.

1. In these regulations "the directors" means the directors of the Company "the trustees" and "the secretary" respectively mean the trustees appointed under and the secretary of any scheme for the time being in force enabling the employees of the Company or any of them to participate in the profits of the Company "appointor" means any person entitled to make a nomination under clause 2 of this Part of this schedule "stock" means stock of the Company "deposits" means and includes any bonus to which the appointor may be entitled under the co-partnership rules and any accumulation of dividends and interest savings and other sums of money of an appointor credited to his account or due to him under any such scheme or in the books of the Company "nominee" means any person or persons named in a nomination made under this schedule "beneficiary" means and includes any nominee entitled under a nomination made under this schedule and any person entitled under clause 7 of this Part of this schedule to be registered as holder of any stock or to be paid any deposits and any references to the "value" of stock shall be deemed to refer to the market price of stock of the same class at the date on which the value of the stock is required to be determined or if there is no such market price then the fair value of such stock at that date to be determined by the Company's auditors.

2. Subject to and in accordance with the regulations set forth in Part II of this schedule any person holding in his own right any stock under any such scheme as aforesaid or having any bonus accumulation of dividends and interest savings or other sums of money left in the hands of or deposited with the Company under any such scheme may if he be of the age of sixteen years or upwards nominate any person or persons who on the death of the appointor shall subject to the provisions of this schedule be entitled to be registered as holder of any stock and to be paid any deposits to which the appointor shall be entitled at his death to the extent of a total value of not exceeding one hundred pounds.

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Disposal of  
stock and  
deposits by  
nomination.

3.—(1) Any nomination made under the provisions of this schedule may be revoked in manner mentioned in Part II of this schedule but shall not be revocable or variable by the will of the appointor or any codicil thereto.

Revocation  
of nomina-  
tions,

(2) The marriage of an appointor shall operate as a revocation of any nomination made by him before such marriage.

(3) The death of a nominee in the lifetime of the appointor by whom he has been nominated shall operate as a revocation of the nomination to the extent to which the same relates to the deceased nominee.

4. After the expiration of one month from the death of an appointor who has made a nomination in force at his death the directors or the trustees (as the case may require) shall subject to the provisions of this schedule give effect to such nomination and shall in accordance with the directions of the nomination but subject to the extent mentioned in clause 2 of this Part of this schedule register the nominee as holder of the stock and pay to the nominee the deposits to which the appointor was entitled at his death or as the case may be the portion of the stock and deposits comprised in the nomination. Provided that if the directors or trustees receive notice of any claim of a creditor of the deceased appointor before the expiration of one month from his death they shall retain the whole amount of the stock or deposits comprised in the nomination or a sufficient amount thereof to satisfy the claim (whichever amount shall be the less) until the said claim has been satisfied disproved or withdrawn.

Proceedings  
on death of  
appointor.

5. Where the directors or trustees have registered stock in the name of or paid deposits to a nominee in ignorance of a marriage of the deceased appointor contracted after the nomination the registration shall be deemed to have been lawfully made and the receipt of the nominee shall be a valid discharge for any sum so paid and neither the directors nor the trustees shall be under any liability to any other person claiming such stock or deposits.

Legality of  
acts done in  
ignorance of  
marriage of  
appointor.



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Nominations  
to take effect  
as regards  
stock in  
priority to  
deposits.

Disposal in  
case of no  
nomination.

6. In the event of the directors or trustees being restricted under the provisions of this schedule from giving effect to any nomination made by a deceased appointor and in force at his death relating to both stock and deposits to the whole extent thereof they shall primarily give effect thereto to the extent to which it relates to stock.

7.—(i) If any appointor shall die without having made any nomination under this schedule in force at his death and the total value of the stock and deposits to which he is entitled at his death does not exceed one hundred pounds and probate of the will of the appointor or letters of administration to his estate are not produced within such time (not being less than one month after his death) as the directors think reasonable then at the expiration of such time the directors or the trustees (as the case may require) shall subject to the provisions of this Part of this schedule register the stock in the names of and pay the deposits to—

(a) the widow (if any) of the deceased appointor;

(b) if there be no widow the person or persons entitled in distribution to the residuary estate of the appointor in accordance with the provisions of section 46 (1) (ii) to (v) inclusive of the Administration of Estates Act 1925 and in default of any such person to the solicitor for the affairs of His Majesty's Treasury;

(c) in any event if the directors think fit any person who has paid the funeral expenses of the appointor up to such amount not exceeding the total amount of such expenses as the directors shall deem it reasonable to allow:

Provided that in every case where the deceased appointor has left no widow and the persons entitled under the said Administration of Estates Act 1925 are more than two the directors may if they think fit sell the stock and distribute the proceeds (after deducting the proper expenses of such sale and distribution) among such persons in the shares in which they are entitled under the said Act and for the purposes of such sale the directors may by a resolution authorise the secretary to execute the transfer of the stock to the purchaser or the purchasers thereof:

Provided also that if the directors or trustees receive notice of any claim of a creditor of the deceased appointor before the expiration of one month from the death of the appointor they shall retain the whole amount of the stock or deposits of the deceased appointor in their hands or a sufficient amount thereof to satisfy the claim (whichever amount shall be the less) until the said claim has been satisfied disproved or withdrawn.

(ii) The provisions of this clause shall also apply in the case of the death of any appointor being entitled at his death to stock or deposits of a total value not exceeding one hundred pounds

who has made a nomination in force at his death where such nomination relates to a portion only of the stock and deposits to which he is entitled at his death but in such case the provisions of this clause shall extend only to the portion of the stock or deposits to which the nomination does not relate. A.D. 1929.

(iii) Any registration of stock or payment of deposits or the proceeds of any sale made either (a) under the foregoing provisions of this clause in the name of or to any person who at the time appears to the directors to be entitled to such stock deposits or proceeds under such provisions or (b) under the provisions of clause 9 or clause 10 of this Part of this schedule in the name of or to any person on behalf of or for the benefit of or as trustee for any person who at the time appears to the directors to be so entitled as aforesaid and any sale of stock to a bonâ fide purchaser made by the directors under the provisions of this clause shall be valid and effectual against any demand made upon the Company or the directors or the trustees by any other person Provided nevertheless that the legal personal representative or representatives of the deceased appointor shall have a remedy for the recovery of such stock deposits or proceeds against the person in whose name the same shall have been registered or to whom the same shall have been paid but nothing in this proviso shall confer upon any person any such remedy against a bonâ fide purchaser of such stock or against the widow of a deceased appointor or shall confer upon any person on behalf of or for the benefit of or in trust for whom the stock deposits or proceeds have been so registered or paid any such remedy against the person in whose name or to whom the same have been registered or paid.

8. In any case where under the provisions of this schedule any beneficiary would be entitled to be registered as the holder of any amount of stock of less than one pound or of any amount of stock exceeding one pound but including a fractional part of one pound it shall be lawful for the directors in lieu of registering such beneficiary as holder of such amount of stock of less than one pound or (as the case may be) such fractional part of one pound of stock to pay to him a sum in cash equal to the value of such amount or fractional part on the date of the death of the appointor in whose name the stock was previously registered and the trustees shall if so required by the directors forthwith repay such sum to the directors out of any moneys in their hands and such amount of stock or fractional part of one pound of stock shall forthwith be registered in the names of the trustees.

Provisions as to small amounts of stock.

9. Where any beneficiary is under the age of sixteen years and it is proved to the satisfaction of the directors that funds are needed for the maintenance education or benefit of such

Provision as to beneficiaries under sixteen.

A.D. 1929. infant the directors or the trustees (as the case may require) may notwithstanding any other provisions of this Part of this schedule register the stock and pay the deposits to which the beneficiary is entitled or any part thereof in the name of or to any person who may satisfy the directors that he will apply any money so paid to him or received by him from the sale of or as dividend bonus or otherwise on such stock for the maintenance education or benefit of such beneficiary and the receipt of such person shall be a good discharge to the directors and trustees for any sums so paid.

Directors  
may appoint  
trustee for  
beneficiary  
under six-  
teen.

10. Where any beneficiary is under the age of sixteen years it shall be lawful for the directors by resolution to appoint any person whom they think fit to act as a trustee for such beneficiary and thereupon the directors or the trustees (as the case may require) shall notwithstanding any other provisions of this Part of this schedule register the stock and pay the deposits to which the infant beneficiary is entitled or any part thereof in the name of or to such person and such person shall so far as is necessary apply the deposits and any dividends bonuses or interest on the stock or deposits or shall sell the stock or any part thereof and apply the proceeds of such sale for the maintenance education or benefit of the beneficiary and the receipt of such person shall be a good discharge to the directors and trustees for any sums so paid. Provided always that if and when the beneficiary attains the age of sixteen years the person so appointed shall transfer or pay to the beneficiary any stock deposits dividends bonuses interest or proceeds of sale then held by such person on behalf of the beneficiary.

Power to  
infant bene-  
ficiaries over  
sixteen.

11.—(1) When any beneficiary is an infant but over the age of sixteen years it shall be lawful for the infant to sell and transfer any stock registered in his name to the Company or the trustees at the value thereof.

(2) The receipt of any beneficiary who has attained the age of sixteen years shall be a good discharge for any sum paid to him under any of the provisions of this schedule notwithstanding that such beneficiary has not attained the age of twenty-one years.

Estate duty  
payable in  
certain cases.

12.—(1) If the principal value of the estate in respect of which estate duty is payable of any deceased appointor exceeds one hundred pounds any stock or deposits to which he is entitled at his death shall be liable to estate duty as part of the property on which that duty is charged and the directors before dealing with or disposing of the same under the provisions of this schedule may require a statutory declaration by a beneficiary that such principal value does not exceed one hundred pounds.

(2) Nothing in this clause shall render the directors or the trustees accountable for the payment of the estate duty in respect

of any stock deposits or other moneys which they have registered paid over distributed or otherwise disposed of in accordance with the provisions of this schedule. A.D. 1929.

13. Notwithstanding anything in this schedule if the total value of the stock and deposits to which the appointor was entitled at his death exceeds one hundred pounds the directors and/or the trustees shall before registering stock in the name of or making any payment to any person other than the legal personal representative or representatives of the deceased appointor to an extent greater than three-fourths of the total value of such stock and deposits require production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty and a duly stamped receipt for the succession or legacy duty payable in respect of the stock and deposits or a certificate from the said Commissioners stating that no such duty is payable thereon and the Commissioners shall give such certificate on receipt of payment of the duty or satisfactory proof that such duty has been paid or that no such duty is payable as the case may be. As to stock and deposits exceeding one hundred pounds.

## PART II.

### REGULATIONS AS TO NOMINATIONS.

1. A nomination shall be in writing in the form prescribed by the directors and shall be signed by the appointor in the presence of a witness.

2. A nomination may be revoked by the appointor by a subsequent nomination made and registered in accordance with these regulations or by writing under his hand signed in the presence of a witness.

3. A nomination or a revocation shall be sent by post to or left at the office of the secretary during the lifetime of the appointor.

4. A nomination or a revocation when received by the secretary shall be registered by him forthwith and the receipt thereof shall be acknowledged but the secretary may refuse to register a nomination or a revocation which does not comply with these regulations.

5. A nomination or a revocation which does not comply with these regulations or has not been received by the secretary shall not have any validity or effect.

6. A nomination may relate to the whole of the stock and deposits to which the appointor may be entitled or to part only thereof.

A.D. 1929.

7. Except where otherwise stated a nomination shall be deemed to extend to all stock and deposits to which the appointor is entitled at the time of his decease up to a total value not exceeding one hundred pounds but an appointor may in a nomination expressly exclude any part of such stock or deposits from the operation of such nomination.

8. A nomination may be in favour of one person or of several persons and in the latter case may subject as hereinafter mentioned direct that on the death of the appointor the stock shall be registered in the name of and the deposits shall be paid to one or more of the nominees or that the nominees shall be registered as owners of the stock and shall take the deposits respectively in specified shares or may give directions to both effects. Provided that it shall not be lawful for a nomination to direct that stock shall be registered in the names of more than two persons as joint holders.

9. No person who witnesses the signature of an appointor to a nomination shall take any benefit under such nomination.

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