



CHAPTER xxxii.

An Act to provide for the transfer to the Newcastle-upon-Tyne Electric Supply Company Limited of the undertakings of certain other companies to change the name of and to confer further powers upon that company and for other purposes. A.D. 1932.
[16th June 1932.]

WHEREAS the Newcastle-upon-Tyne Electric Supply Company Limited (in this Act referred to as "the Company") are authorised by the several Acts and Orders referred to in the First Schedule to this Act to supply electricity in the city and county of Newcastle-upon-Tyne and within the county of Northumberland :

And whereas the companies whose undertakings are enumerated in Part I of the Second Schedule to this Act are authorised by the several Acts and Orders set out in the said Part I of the said Second Schedule to supply electricity in certain areas in the counties of Northumberland and Durham and the north east and west ridings of the county of York :

And whereas the companies enumerated in Part II of the said Second Schedule (which companies together with the companies whose undertakings are enumerated in Part I of the said schedule are in this Act referred to as "the scheduled companies") either own generating stations which are used exclusively for the purpose of supplying electricity to the Company or are engaged in

A.D. 1932. other operations subsidiary to the undertaking of one of the companies whose undertakings are enumerated in Part I of the said schedule :

And whereas the whole of the capital of the scheduled companies is held by the Company or by one or other of the scheduled companies or by trustees on their behalf with the exception of—

One thousand eight hundred and thirteen ordinary shares of one pound each in Cleveland and Durham Electric Power Limited out of the total of three hundred and fifty thousand such shares issued :

Six hundred and forty preference shares of one pound each in Cleveland and Durham Electric Power Limited out of the total of three hundred and fifty thousand such shares issued :

One hundred and ninety-four pounds five shillings funded preference income stock in Cleveland and Durham Electric Power Limited out of the total of fifty-eight thousand three hundred and ninety-eight pounds seven shillings and sixpence such stock issued :

Sixteen thousand five hundred and fifty-one ordinary shares of one pound each in the Northern Counties Electricity Supply Company Limited out of the total of one hundred and ninety-four thousand two hundred and one such shares issued :

And whereas the whole of the debenture stock of the Cleveland and Durham County Electric Power Company is held by the Company and Cleveland and Durham Electric Power Limited and there are no debentures or debenture stock of any other of the scheduled companies outstanding :

And whereas the undertakings of the Company and of the scheduled companies are at present carried on in close association and under common management and the transfer to and vesting in the Company of the undertakings of the scheduled companies and the dissolution of those companies is expedient as tending towards increased economy and efficiency in the carrying on by the Company of such undertakings and the undertaking of the Company :

And whereas it is expedient that the name of the Company should be changed to "North-Eastern Electric Supply Company Limited": A.D. 1932.

And whereas it is expedient that such further powers should be conferred upon the Company and such further provisions made with respect to the Company and their undertaking as are in this Act contained:

And whereas the objects of this Act 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 this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the North-Eastern Electric Supply Act 1932. Short title.

2. Words and expressions to which meanings are assigned by the Electricity (Supply) Acts 1882 to 1928 have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act— Interpretation.

"The Company" means as the context may require the Newcastle-upon-Tyne Electric Supply Company Limited or that Company under its name as changed by this Act;

"The scheduled companies" means the companies which or the undertakings of which are enumerated in Parts I and II of the Second Schedule to this Act;

"Scheduled company" means such of the scheduled companies as the context may require;

"The Cleveland Limited Company" means Cleveland and Durham Electric Power Limited;

"The Durham Distribution Company" means the County of Durham Electrical Power Distribution Company Limited;

"The Cleveland Power Company" means the Cleveland and Durham County Electric Power Company;

"The Durham Power Company" means the County of Durham Electric Power Supply Company;

A.D. 1932.
—

“The date of transfer” means the thirtieth day of September one thousand nine hundred and thirty-two;

“The undertakings of the scheduled companies” include subject to the provisions of this Act all rights of making distributing and supplying electricity and all other rights powers authorities and privileges whatsoever (and from or under whatsoever Act derived) of each of the scheduled companies and all property assets and effects whatsoever and wheresoever and whether real or personal including cash balances insurances reserve accident and other funds investments and all other interests and rights in to and out of the property whether real or personal and obligations and things in action of or belonging to each of the scheduled companies upon or immediately before the date of transfer and all books accounts deeds writings and documents relating thereto but subject to all contracts debts liabilities and obligations of each of the scheduled companies which shall be subsisting on the said date;

“The Newcastle Acts and Orders” means the unrepealed provisions of the Acts and Orders mentioned in the First Schedule to this Act and of so much of any Acts confirming those Orders as relate thereto respectively and “the Newcastle Acts” has a corresponding meaning;

“The Durham Acts” and “the Cleveland Acts” mean respectively the County of Durham Electric Power Supply Acts 1900 to 1909 and the Cleveland and Durham County Electric Power Acts 1901 to 1928;

“Limits of supply” means in relation to the Company the area within which the Company are for the time being authorised to supply electricity.

Transfer of
under-
takings of
scheduled
companies.

3.—(1) As on and from the date of transfer the undertakings of the scheduled companies shall by virtue of this Act be and are hereby transferred to and vested in the Company to the same extent and for the same estate and interest as the same were immediately before the date of transfer vested in the

scheduled companies respectively or any trustee on their behalf and upon and subject to the terms and conditions in this Act contained. A.D. 1932.

(2) The provisions of the Newcastle Acts and Orders shall not apply to the undertakings of the scheduled companies transferred to the Company by this Act or to the Company in respect thereof but in respect of each of the undertakings set out in column 1 of Part I of the Second Schedule to this Act the Company subject to the provisions of this Act may exercise the powers rights and privileges conferred by and shall be subject to the duties obligations liabilities and restrictions imposed by—

- (a) the Electricity (Supply) Acts 1882 to 1928 and the Electric Lighting (Clauses) Act 1899;
- (b) the provisions of the Acts and Orders set out opposite to that undertaking in column 2 of the said Part of the said schedule as altered or affected by any subsequent Act or by any Order whether confirmed by Parliament or having effect as if enacted by Parliament by whomsoever obtained which was in force immediately before the date of transfer except to the extent to which the Company may have been deprived of such powers rights and privileges or relieved from such duties obligations and restrictions by the repeal of certain of such provisions; and
- (c) the provisions of any deed of transfer whereby the undertaking authorized by any such Act or Order was transferred to any of the scheduled companies;

to the same extent as but no further than the scheduled company in which such undertaking was vested immediately before the date of transfer was entitled to the benefit of or was subject to the said Acts and provisions :

Provided that the expression "the capital of the Company" in each of sections 32 (Relation of price and dividend) of the County of Durham Electric Power Supply Act 1900 and 63 (Relation between price and dividend) of the Cleveland and Durham County Electric Power Act 1901 shall mean the ordinary share capital of the Company the expression "the prices actually

A.D. 1932.

charged by the Company” in the said section 32 shall mean the prices actually charged by the Company within the limits defined in section 5 (Limits of Act) of the said Act of 1900 and the expression “their district” in the said section 63 shall mean the area of supply as defined in section 4 (Interpretation) of the Cleveland and Durham County Electric Power Act 1928.

(3) As on and from the date of transfer the scheduled companies shall by virtue of this Act be and are hereby dissolved and the memoranda and articles of association of such of the scheduled companies as were incorporated under the Companies Act 1929 or any Acts repealed by that Act or by the Companies (Consolidation) Act 1908 shall as to any prospective operation be wholly void.

(4) Nothing in this Act contained shall affect the previous operation of the said memoranda and articles of association or anything done or suffered or any right obligation or liability acquired accrued or incurred thereunder and with 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 such scheduled companies and the proprietors and shareholders thereof as such and the property or properties of such companies.

4.—(1) On the date of transfer the Company shall subject to and in accordance with the provisions of this Act—

(a) issue to those persons (other than the Company and in the case of the Northern Counties Electricity Supply Company Limited other than the Cleveland Limited Company) who immediately before that date hold ordinary shares in or of the scheduled companies specified in the first column of the Third Schedule to this Act ordinary shares of one pound each of the Company in the proportions prescribed in the second column of the said schedule; and

(b) issue to those persons (other than the Company) who immediately before that date hold preference shares or preference stock in or of the

Company
to issue
shares &c.
in substitu-
tion for
shares &c.
in certain
scheduled
companies.

scheduled companies specified in the first column of the said schedule preference shares of one pound each of the Company in the proportions prescribed in the said second column of the said schedule. A.D. 1932.

(2) In every case where under the provisions of subsection (1) of this section a holder of any ordinary or preference shares or preference stock in or of any of the scheduled companies referred to in that subsection would be entitled to be registered as the holder of any number of ordinary or preference shares of the Company which includes a fraction of a share the Company shall pay to such holder such a sum in cash as shall be equal to the par value of such fraction and shall issue to him the number of ordinary or preference shares in the Company to which he shall be entitled as aforesaid excluding the fraction of a share 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 fraction.

(3) From and after the issue of such ordinary and preference shares by the Company the ordinary and preference shares and preference stock in or of the scheduled companies in respect of which the same are issued shall be extinguished and all rights of the persons receiving such first mentioned shares in respect of the said ordinary or preference shares or preference stock formerly held by them shall also be extinguished.

5.—(1) The ordinary and preference shares of the Company issued under the provisions of the section of this Act of which the marginal note is “Company to issue shares &c. in substitution for shares &c. in certain scheduled companies” shall be deemed to be fully paid up and to form part of the capital of the Company. Shares issued in substitution to form part of capital of Company.

(2) The ordinary and preference shares of the Company to which the holders of shares or stock of certain of the scheduled companies become entitled by virtue of this Act shall be vested in such holders as on and from the date of transfer and such holders shall be registered in the books of the Company on that date as the holders of the respective numbers of such shares as shall be issued to them respectively.

A.D. 1932.

(3) The ordinary and preference shares of the Company so issued shall rank for dividend as from the first day of the financial year of the Company ending on the thirty-first day of December one thousand nine hundred and thirty-two and as from that day the holders of ordinary and preference shares and stock in or of the scheduled companies for which the ordinary and preference shares of the Company are respectively substituted shall cease to be entitled to any dividend in respect of such ordinary and preference shares and stock in or of the scheduled companies.

Shares of
Company
to be
equivalent
to shares
of certain
scheduled
companies.

6. The ordinary and preference shares of the Company of which the holders of shares or stock of certain of the scheduled companies are pursuant to the provisions of this Act respectively registered as the holders shall after registration thereof be held in the same rights and subject (so far as is consistent with such provisions) to the same powers as those in upon or to which the shares or stock of the scheduled company for which such ordinary or preference shares of the Company are respectively substituted were held or were subject immediately before the date of transfer and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any share or stock of any of such scheduled companies and trustees executors or administrators and all other holders in any representative or fiduciary capacity of any share or stock of any of such scheduled companies are hereby expressly authorised and required to accept any ordinary or preference shares of the Company of which they are pursuant to the provisions of this Act registered as the holders and to hold dispose of or otherwise deal with such ordinary and preference shares of the Company in all respects as they might or ought to have held disposed of or otherwise dealt with the shares or stock of the scheduled companies for which the same are substituted and are hereby indemnified in respect of all acts bona fide done by them in pursuance of the provisions of this Act.

Issue of
share
certificates.

7. The Company shall call in the certificates for the shares or stock of each of the scheduled companies for which shares of the Company are substituted under the provisions of this Act and shall issue free of charge in exchange for those certificates to the respective holders

of the shares represented thereby certificates for ordinary or preference shares of the Company of the respective amounts prescribed in the Third Schedule hereto but no holder of any of the shares or stock in any of such scheduled companies shall be entitled to a new certificate until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate is to be substituted or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction of such certificate and shall have given to the Company an indemnity against any and every claim in respect of such lost or destroyed certificate or the shares represented thereby :

A.D. 1932.
—

Provided that until the issue of such new certificates and notwithstanding the avoidance of the memorandum and articles of association of any of the scheduled companies the holders of the existing certificates for shares or stock of the scheduled companies shall (according to the amounts of ordinary or preference shares of the Company to be issued under the provisions of this Act in substitution for the shares or stock of the scheduled companies which they respectively represent) have and possess the same rights and privileges as if such existing certificates were certificates for those respective amounts of ordinary or preference shares of the Company but if any such holder neglect or omit to send or deliver to the Company his certificate or certificates for shares or stock of any of the scheduled companies for the period of one year after notice in writing sent by post to the address of such holder appearing in the books of the scheduled company in question the Company may suspend the payment of any dividends declared or becoming payable upon or in respect of the ordinary or preference shares of the Company so held by him until such certificate or certificates is or are delivered up to the Company or is or are proved to the reasonable satisfaction of the directors of the Company to have been lost or destroyed and until such indemnity as aforesaid shall have been given.

8. All transfers or other dispositions of any shares or stock of any of the scheduled companies made but not registered by the appropriate scheduled company before the date of transfer or made after the date of transfer and before the issue by the Company of the certificate or

Transfers not registered prior to date of transfer to operate as

A.D. 1932.
—
transfers of
ordinary
and
preference
shares of
Company.

certificates for the ordinary or preference shares to which such holder is entitled under the provisions of this Act shall notwithstanding the provisions of this Act be valid and have due effect given to them respectively as transfers or dispositions of the amounts of ordinary or preference shares of the Company which represent the shares or stock of the scheduled company thereby expressed to be transferred or disposed of and which are substituted for the same by this Act although the instrument of transfer or disposition shall describe the same as a share or as stock of the scheduled company in question and the Company shall accordingly register the shares in the name of the transferee or person taking under the disposition and any bequest of or any covenant or provision of any deed or instrument which ought in the circumstances to apply to the share or stock of any of the scheduled companies so transferred, or disposed of as aforesaid shall be held to apply to an amount of ordinary or preference shares of the Company equal to that which is under the provisions of this Act substituted for such share or stock of the scheduled company in question.

Extinguishment
of shares and
stock in
scheduled
companies held
by Company
or Durham
Distribution
Company or
Cleveland
Limited
Company.

9. On the date of transfer all shares or stock in or of any of the scheduled companies held by the Company or by the Durham Distribution Company or by the Cleveland Limited Company or by any trustee on their behalf on that day shall be extinguished and all rights attaching to such shares or stock shall cease and the certificates for all such shares or stock so held shall be either retained by or surrendered to and shall be cancelled by the Company.

Cancellation
of debenture
stock of
Cleveland
Power Com-
pany held by
Company or
Cleveland
Limited
Company.

10. On the date of transfer the five per cent. debenture stock of the Cleveland Power Company held by the Company and the Cleveland Limited Company or by any trustee on their behalf on that day shall be extinguished and all rights attaching to such stock shall cease and the certificates for all such stock so held shall be either retained by or surrendered to and shall be cancelled by the Company.

Persons
appearing
on registers
of scheduled
companies
at date of
transfer to

11.—(1) Notwithstanding the avoidance of the memorandum and articles of association of any of the scheduled companies the several persons (other than the Company the Durham Distribution Company the Cleveland Limited Company or any trustee for any of those companies) who immediately before the date of transfer

appear on the registers of each of the scheduled companies to be holders of shares or stock of any class of that company or the respective executors administrators or assigns of such persons shall for the purposes of this Act and subject to the provisions of the section of this Act of which the marginal note is "Transfers not registered prior to date of transfer to operate as transfers of ordinary and preference shares of Company" be deemed to be holders of shares or stock of that scheduled company and the secretary of that company shall on the date of transfer deliver to the Company at the registered office of the Company the said registers and on and after the date of transfer the registers of transfers of shares and stock of each of the scheduled companies shall be permanently closed and (except as provided by such last-mentioned section of this Act) no transfer of any share or shares or stock of any of the scheduled companies made on or after that date shall as between the Company and the party claiming thereunder be of any effect.

A.D. 1932.

—
be deemed
share-
holders.

(2) The issue by the Company of certificates for ordinary and preference shares of the Company as aforesaid to the persons whose names appear by the said registers to be registered holders of shares or stock of any of the scheduled companies or the respective executors or administrators of such persons or to the persons entitled thereto pursuant to the section of this Act of which the marginal note is "Transfers not registered prior to date of transfer to operate as transfers of ordinary and preference shares of Company" shall be a sufficient discharge to the Company for all purposes.

12. Where the Company are for six months after the date of transfer unable after reasonable inquiry to ascertain the person entitled to any certificate of ordinary or preference shares of the Company under the foregoing provisions of this Act or where any person entitled to any such certificate cannot give an effectual receipt the Company shall—

Transfer of
securities of
Company
and pay-
ment of
cash into
court in
certain
cases.

- (i) transfer such shares exclusive of any fraction of a share to which the person may be entitled under the section of this Act of which the marginal note is "Company to issue shares &c. in substitution for shares &c. in certain scheduled companies"; and

A.D. 1932.

(ii) pay the sum of cash representing such fraction of a share in accordance with the provisions of subsection (2) of that section;

to the Accountant-General for and on behalf of the Supreme Court of Judicature in England under any Act in force for the relief of trustees. Every such transfer and payment shall discharge the Company from all liability with respect to the shares so transferred and the cash so paid and for the purposes of this Act the certificate relating to such shares and the cash respectively shall be deemed to be delivered or paid to the person absolutely entitled thereto and any person afterwards showing to the satisfaction of the Chancery Division of the High Court that he is entitled thereto may obtain transfer of the said shares and payment of the cash from the Accountant-General accordingly.

Preserva-
tion of
pending
actions
arbitra-
tions &c.

13.—(1) If at the date of transfer any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing by or against or in favour of any of the scheduled companies or any member or shareholder thereof in relation to the affairs of the scheduled companies the same shall not abate or be discontinued or be in any wise prejudicially affected by reason of the transfer to the Company effected by this Act or of anything in this Act contained but the same may be continued prosecuted and enforced by against or in favour of the Company or any member or shareholder thereof (as the case may be) as and when it might have been continued prosecuted and enforced by against or in favour of any of the scheduled companies or any such member or shareholder if this Act had not been passed but not further or otherwise.

(2) If at the date of transfer any application for a special or departmental order or any consent under the Electricity (Supply) Acts 1882 to 1928 or under any special Act of any of the scheduled companies has been made by any of the scheduled companies and either such application has not been determined by the Electricity Commissioners or Minister of Transport or as a result of such application any such special or departmental order or consent although made or given has not come into force such application or special or other order or consent shall not be prejudicially affected by anything in this Act contained but may in all respects be continued

and prosecuted by the Company as if such application had been made by the Company and in any such order or consent the name of the Company shall be substituted as the undertakers for the purposes thereof respectively. A.D. 1932.

14. All agreements contracts conveyances deeds and other instruments affecting any of the scheduled companies and in force at the date of transfer shall as from such date be as binding and of as full force and effect against or in favour of the Company (as the case may be) and may be enforced as fully and effectually as if instead of one or more of the scheduled companies the Company had been a party thereto or bound thereby or entitled to the benefit thereof. Agreements contracts &c. of scheduled companies to bind Company.

15. All rents rates and charges and other sums and debts at the date of transfer due and payable or accruing due and payable to any of the scheduled companies shall be payable to and may be collected recovered and enforced by the Company in the same manner and with and by the same benefits and processes as those with and by which the scheduled company entitled to the same might have enforced the same and shall belong to the Company for their own benefit. Company to collect sums payable to scheduled companies.

16. All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against any of the scheduled companies shall be admitted in evidence in respect of the same or the like matter for or against the Company. Books and documents admissible as evidence for or against scheduled companies to be admissible for or against Company.

17. All officers and persons who at the date of transfer have in their possession or under their control any books documents papers moneys or effects forming part of the undertaking of any of the scheduled companies shall be liable to account for and deliver up the same to the Company or to such persons as the Company may appoint to receive the same and subject to the same consequences on refusal or neglect as if such officers and persons had been appointed by and become possessed of such books documents papers moneys and effects for the Company and all such books documents and papers (except such as are of a transient character or are of no value for purposes of record) shall be preserved and kept in safe custody by the Company and the Company shall be subject to the like liability and obligation to produce Books documents &c. of scheduled companies to be delivered to Company.

A.D. 1932.

and permit inspection of the same as if such books documents and papers were books documents and papers of the Company.

Application of sections 24 and 25 of Electric Lighting Act 1882 and section 16 of Electric Lighting Act 1909 &c.

18. The provisions of sections 24 and 25 of the Electric Lighting Act 1882 and of section 16 of the Electric Lighting Act 1909 shall from and after the date of transfer continue to apply for the protection and benefit of the Company to all electric lines fittings apparatus and appliances transferred to or vested in the Company under this Act notwithstanding that the distinguishing metal plate or distinguishing brand or other mark affixed to or impressed or made on such electric lines fittings apparatus and appliances may indicate one of the scheduled companies as the actual owners thereof and notwithstanding anything contained in the Factory and Workshop Acts 1901 to 1929 or in any regulations made thereunder it shall not be necessary to substitute the name of the Company for the name of any of the scheduled companies in any case in which the name of such scheduled company is affixed to any electrical station of that Company as defined in the Factory and Workshop Act 1901.

Change of name of Company &c.

19.—(1) Without any further or other authority than the provisions of this section the name of the Company shall from and after the date of transfer be “North-Eastern Electric Supply Company Limited” and the provisions of subsections (4) and (5) of section 19 of the Companies Act 1929 shall apply as if pursuant to subsection (1) of that section the Company had passed a special resolution so changing their name and the Board of Trade had signified their approval thereof in writing.

(2) The provisions of sections 24 and 25 of the Electric Lighting Act 1882 and of section 16 of the Electric Lighting Act 1909 shall from and after the date of transfer continue to apply for the protection and benefit of the Company to all electric lines fittings apparatus and appliances of the Company notwithstanding such change in the name of the Company as aforesaid and that the distinguishing metal plate or distinguishing brand or other mark affixed to or impressed or made on such electric lines fittings apparatus and appliances may indicate the Newcastle-upon-Tyne Electric Supply Company Limited as the actual owners thereof and

notwithstanding anything contained in the Factory and Workshop Acts 1901 to 1929 or in any regulations made thereunder it shall not be necessary to substitute the new name of the Company for its present name in any case in which such present name is affixed to any electrical station of the Company as defined in the Factory and Workshop Act 1901.

A.D. 1932.

(3) The Company shall as soon as practicable after the date of transfer call in the certificates existing at that date of its shares and debenture stock and shall insert therein the new name of the Company authorised by this section but the Company shall not be under any obligation by reason of such change in the name of the Company as aforesaid to issue new certificates in exchange for such existing certificates but the same as so altered as aforesaid shall notwithstanding such change of name continue to be valid certificates for all purposes until a new certificate in lieu of any such existing certificate is required to be issued under the provisions of the Companies Act 1929.

20.—(1) The Company may with the approval of the Electricity Commissioners by agreement (but not otherwise) acquire from any authorised undertakers to whom a Provisional Order or Special Order under the Electricity (Supply) Acts 1882 to 1928 or any of those Acts shall have been or may be granted relating to an area within the limits of supply the undertaking authorised by the Order and the powers rights authorities and privileges of such authorised undertakers under the Order and the authorised undertakers under any such Order may with the like approval by deed to be approved by the commissioners (which approval the commissioners are hereby authorised to give) transfer their undertaking powers rights authorities and privileges to the Company subject to such exceptions and modifications (if any) and upon such terms and conditions as may be specified in the deed.

Transfer
of under-
takings to
Company.

(2) In the event of the Company acquiring the undertaking authorised by any such Order and the powers rights authorities and privileges of the authorised undertakers thereunder the Company shall subject to such exceptions and modifications (if any) as aforesaid be deemed to be the authorised undertakers for all the

A.D. 1932.

— purposes of the Order and shall be entitled to charge for electricity supplied under the Order such prices as may be prescribed by or under the Order.

(3) The powers conferred by this section may be exercised in respect of a part only of any such undertaking or part only of any such powers rights authorities and privileges as aforesaid.

(4) Any capital moneys received by any local authority in respect of any transfer under this section shall be applied by the authority in manner provided by subsection (2) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899.

(5) In the event of the undertaking authorised by any such Order being acquired by the Company under this section the provisions of the Electricity (Supply) Acts 1882 to 1928 and of the schedule to the Electric Lighting (Clauses) Act 1899 shall subject to any modification of those Acts made by any such Order apply to that undertaking and whether the authorised undertakers are a local authority or not the said undertaking shall be deemed to be within the provisions of section 2 of the Electric Lighting Act 1888 Provided that—

(a) the periods at which a local authority may under the provisions of the said section or under any deed of transfer re-purchase or purchase such undertaking or so much thereof as is within their jurisdiction shall be reckoned from the date of the acquisition thereof by the Company; and

(b) none of the provisions of any Order authorising any undertaking so acquired by the Company or of the Electricity (Supply) Acts 1882 to 1928 shall extend to authorise the purchase or re-purchase by any local authority of any generating station or other works of the Company which are not exclusively used or required for the purposes of supplying electricity under the Order within the area of supply as defined by the Order.

(6) References in this section to a Provisional Order or a Special Order shall be deemed to include references to any Act or Acts of Parliament relating to the undertaking or powers rights authorities and privileges to be transferred.

21.—(1) The Company may by agreement purchase take on lease or otherwise acquire work use maintain alter and improve any generating station or substation and the works connected therewith or incidental thereto and any main transmission line belonging to any local authority company body or person and situate in any district or place within the limits of supply and any such local authority company body or person may sell lease or transfer any such generating station substation and works together with their powers rights authorities and privileges in connection therewith or incidental thereto to the Company on such terms as may be agreed Provided that the powers of this section shall not be exercised without the approval of the Electricity Commissioners except with respect to any substation.

A.D. 1932.
—
Acquisition of
generating
stations &c.

(2) If the Company so acquire any such generating station substation main transmission line or works powers rights authorities and privileges they may for the purpose of carrying on maintaining and working any such generating station substation main transmission line or works so transferred to them and of connecting the same with the limits of supply exercise all the powers rights authorities and privileges so transferred to them and any generating station substation main transmission line or works transferred to the Company under this section or any works executed by them under any powers so transferred to them shall be deemed to form part of the undertaking of the Company and the Company may sell or otherwise dispose of or discontinue the use of any such generating station substation main transmission line or works or any part thereof.

(3) Nothing in this section shall exonerate the Company from any indictment action or other proceeding for nuisance if any nuisance is caused or permitted by the Company on any land on which any such generating station substation or main transmission line is situated and for which nuisance any such undertakers as aforesaid would have been liable if caused by them.

(4) If any generating station acquired by the Company under the provisions of this section is or shall become a selected station for the purposes of a scheme under the Electricity (Supply) Act 1926 then in construing section 13 of that Act such station shall be deemed to be an existing generating station only to the extent to which

A.D. 1932. — the Company are supplied by the Central Electricity Board for the purposes of the undertaking of which the station formed part immediately before the date of its acquisition by the Company.

(5) Nothing in this section shall authorise the execution of any works on over or under tidal lands below high-water mark of ordinary spring tides except in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade.

As to
supply of
electricity
for power.

22. With respect to the supply of electricity to persons requiring the same for power the following provisions shall have effect:—

- (1) For the purposes of section 19 of the Electric Lighting Act 1882 the several areas comprised in the limits of supply shall be deemed to be one area:
- (2) The prohibition against undue preference contained in section 20 of the said Act shall have effect as if the Company were undertakers in such area by virtue of one and the same Act or Order:
- (3) Nothing in this section shall invalidate or affect or give any right of action in respect of any existing agreement or entitle any person to a supply of electricity on the terms contained in any existing agreement if he would not have been entitled to a supply on such terms if this section had not been enacted:
- (4) In this section "existing agreement" means any agreement made prior to the tenth day of March one thousand nine hundred and thirty-two.

Compensa-
tion for
deprivation
of employ-
ment &c.

23. Nothing in this Act shall prejudice or affect any right or interest of any officer or servant of any authorised undertakers under the provisions of section 15 of the Electricity (Supply) Act 1926 and the enactments and schedule therein referred to and the said provisions shall extend and apply to any officer or servant of any authorised undertakers affected by the closing (permanent or temporary) or alteration in the working or use of or

the acquisition of a generating station or by the acquisition of a main transmission line or any part thereof under or in consequence of the provisions of the section of this Act of which the marginal note is "Transfer of undertakings of scheduled companies" or under or in consequence of any contract or agreement entered into by the Company under the provisions of the sections of this Act of which the marginal notes are "Transfer of undertakings to Company" and "Acquisition of generating stations &c." respectively with any authority company body or person and the provisions of the said section 15 and the enactments and schedule therein referred to shall apply and have effect as if such closing or acquisition were a closing or acquisition under or in consequence of the said Act of 1926 and such alteration were a restriction imposed by or under a scheme under that Act.

A.D. 1932.

For the purposes of the application under this section of the said section 15 and the said enactments and schedule all service of an officer or servant with any of the scheduled companies or with the Company shall be deemed to have been service with and shall be aggregated as service with the Company.

24. For the purposes of section 84 (For protection of county councils) of the Cleveland and Durham County Electric Power Act 1928 as applied to the Company by the section of this Act of which the marginal note is "Transfer of undertakings of scheduled companies" the Company shall be deemed to be the operating Company.

For protection of county councils of county of Durham and north west and east ridings of county of York.

25. For the protection of the county council of the administrative county of Durham (in this section referred to as "the council" and "the county") the following provisions shall have effect unless otherwise agreed in writing between the Company and the council (that is to say) :—

For further protection of Durham County Council.

- (1) In this section the expression "the existing provisions" means the following provisions for the protection of the council :—

Section 42 of the County of Durham Electric Power Supply Act 1900;

Section 9 of the Billingham Electricity Special Order 1923;

A.D. 1932.

Section 11 of the South Durham Districts Electricity Special Order 1927;

Section 9 of the Wear Valley Electricity Special Order 1929;

Section 10 of the North Crook Electricity Special Order 1930 :

- (2) So much of the provisions of section 84 (For protection of county councils) of the Cleveland and Durham County Electric Power Act 1928 (as applied to the Company by this Act) as relates to the council and the county shall as from the date of transfer extend and apply to the county and enure for the protection of the council in relation to the exercise by the Company of all powers conferred upon or transferred to the Company under this Act the exercise of which by the Company affects county roads or county bridges in the county in substitution for the existing provisions but without prejudice to anything done or suffered or to any right privilege obligation or liability acquired accrued or incurred under those provisions prior to the date of transfer.

For protection of Newcastle-upon-Tyne Corporation.

26. For the protection of the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne (in this section referred to as "the corporation") the following provisions shall notwithstanding anything contained in this Act apply and have effect unless otherwise agreed in writing between the corporation and the Company :—

- (1) Nothing contained in this Act shall prejudice or affect the right of the corporation to purchase any undertaking or part of an undertaking of the Company which the corporation have at the date of the passing of this Act power to require the Company to sell to them or any rights of the corporation under any agreement relating to any such undertaking or part of an undertaking and such rights shall remain and be unaffected by any of the provisions of this Act :
- (2) In the event of the corporation requiring the Company to sell to them any undertaking or part of an undertaking of the Company which

the corporation have at the date of the passing of this Act power to require the Company to sell to them any difference as to the amount to be paid by the corporation to the Company in respect of such sale shall be settled as if this Act had not been passed :

A.D. 1932.

- (3) (a) The Company shall not under or by virtue of the provisions of this Act without the consent in writing of the corporation acquire the undertaking or any of the powers rights authorities or privileges of the Newcastle and District Electric Lighting Company Limited or acquire or enter into any agreement for the leasing or working by the Company of any generating station belonging to the said Newcastle and District Electric Lighting Company Limited ;

(b) The Company shall not under or by virtue of the Newcastle Acts and Orders or the Durham Acts or the Cleveland Acts or any of them without the consent in writing of the corporation associate themselves with or work the undertaking of the said Newcastle and District Electric Lighting Company Limited but such consent shall not be required to any agreement to take or supply electrical energy in bulk under section 12 (Agreements with Newcastle and District Electric Lighting Company Limited) of the Newcastle-upon-Tyne Electric Supply Company's Act 1906.

27. For the protection of the mayor aldermen and burgesses of the county borough of Gateshead (in this section referred to as "the corporation" and "the borough" respectively) the following provisions shall notwithstanding anything contained in this Act and unless otherwise agreed in writing between the Company and the corporation apply and have effect (that is to say) :—

For protec-
tion of
Gateshead
Corporation.

- (1) The undertaking authorised by the Gateshead Electric Lighting Order 1899 (hereinafter called "the undertaking") shall not be purchaseable by the corporation as provided by section 61 of the said Order but shall be purchaseable by the corporation upon the terms prescribed by the Electric Lighting Act 1888 Provided that the

A.D. 1932.

corporation may if they think fit by notice in writing to be given at any time after the passing of this Act require the Company to sell the undertaking to the corporation at the expiration of two years from the date of such notice on the terms prescribed by the Electric Lighting Act 1888 and section 61 of the said Order shall be varied accordingly :

- (2) In the event of the corporation purchasing the undertaking they shall on giving the notice mentioned in the last preceding subsection give the Company an option to supply electricity in bulk to the corporation and (if the corporation so desire) to operate the undertaking upon terms not less favourable than may be offered by or acceptable to any other company body or person and also make full disclosure and notify the Company of such terms. If the Company shall desire to exercise such option they shall give the corporation notice thereof in writing within six calendar months from the receipt of the said notice :
- (3) The corporation shall have the right when exercising the right of purchase under subsection (1) of this section at the same time to purchase upon the like terms and conditions all mains (other than trunk connecting or through mains connecting with some other district than the borough as constituted on the twenty-fifth day of June one thousand nine hundred and six) within the borough (as so constituted as aforesaid) which at the date when such purchase takes effect shall belong to the Company together with all other works which at that date shall be used by the Company exclusively for giving a supply within the borough as so constituted as aforesaid.

For protection of
Stokesley
Rural
District
Council.

28. Section 50 (For protection of Stokesley and Middlesbrough Rural District Councils) of the Cleveland and Durham County Electric Power Act 1928 shall be read and have effect as if the expression "the Company" meant the Company and subject thereto the transfer of the undertaking of the Cleveland Power Company under the Stokesley District Electricity Special

Order 1929 effected by this Act shall not prejudice alter A.D. 1932.
or affect the provisions of that section.

29. The Company shall deliver to the Registrar of Joint Stock Companies seven printed copies of this Act and he shall retain and register the same in respect of the Company and each of the scheduled companies other than the Durham Power Company and the Cleveland Power Company and if such copies are 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.

Copies of Act to be delivered to Registrar of Joint Stock Companies.

There shall be paid to the registrar by the Company on each such copy being registered the like fee as is for the time being payable under the Companies Act 1929 on registration of any document other than 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.

30. The provisions of the Newcastle Acts the Durham Acts and the Cleveland Acts enumerated in the Fourth Schedule hereto shall as from the date of transfer be by virtue of this Act and are hereby repealed:

Repeal.

Provided that the repeal of section 4 of the Cleveland and Durham County Electric Power Act 1903 and section 29 of the Cleveland and Durham County Electric Power Act 1928 shall not affect any right privilege obligation or liability acquired accrued or incurred under those sections or either of them consequent upon the transfer to the Cleveland Power Company thereunder of any undertaking or relieve the Company as the transferees of the Cleveland Power Company of any obligation or liability so incurred by the Cleveland Power Company.

31. Nothing in this Act shall derogate from or abridge any power of the Company to issue any unissued shares which may form part of the capital of the Company immediately before the passing of this Act or to create and issue any new series of shares ranking as

Saving power of Company to issue unissued shares.

[Ch. xxxii.] *North-Eastern* [22 & 23 GEO. 5.]
Electric Supply Act, 1932.

A.D. 1932. — regards dividend or capital or both in priority to or
— pari passu with the ordinary or preference shares of the
Company.

Memor- 32. Save as in this Act expressly provided nothing
andum and in this Act contained shall prejudice alter or affect the
articles of memorandum or articles of association of the Company
association or shall be deemed to render valid or invalid any act
of Company done or proceeding pending by or against the Company
not affected. before or at the date of the passing of this Act.

Costs of 33. All costs charges and expenses of and incident
Act. to the preparing for obtaining and passing of this Act
or otherwise in relation thereto shall be paid by the
Company.

The SCHEDULES referred to in the
foregoing Act.

A.D. 1932.

THE FIRST SCHEDULE.

ENUMERATING THE ACTS AND ORDERS UNDER WHICH THE
COMPANY IS AUTHORISED TO SUPPLY ELECTRICITY.

ACTS.

The Walker and Wallsend Union Gas Company's (Electric Lighting) Act 1899.

The Newcastle-upon-Tyne Electric Supply Company's Act 1900.

The Newcastle-upon-Tyne Electric Supply Company's Act 1902.

The Newcastle-upon-Tyne Electric Supply Company's Act 1903.

The Newcastle-upon-Tyne Electric Supply Company's Act 1906.

ORDERS.

The Newcastle-upon-Tyne Electric Lighting Order 1893.

The Walker Electric Lighting Order 1899.

The Gosforth Extension Electric Lighting Order 1900.

The Whitley and Monkseaton Electric Lighting Order 1901.

The Seghill Earsdon and Tynemouth (Rural) Electric Lighting Order 1902.

The Castle Ward Weetslade and Cramlington Electric Lighting Order 1906.

The Newcastle-upon-Tyne (Kenton Extension) Electric Lighting Order 1911.

The Tynedale Electricity Special Order 1926.

The Coquetdale Electricity Special Order 1927.

The South-West Northumberland Electricity Special Order 1930.

The North Wansbeck Electricity Special Order 1931.

The Newcastle-upon-Tyne Electricity (Amendment) Special Order 1931.

A.D. 1932.

THE SECOND SCHEDULE.

PART I.

ENUMERATING THE UNDERTAKINGS OF THE SCHEDULED
COMPANIES POSSESSING STATUTORY POWERS.

Column 1. Name of Undertaking.	Column 2. Special Acts and Orders applicable to that Undertaking.
The undertaking of the County of Durham Electric Power Supply Company.	The County of Durham Electric Power Supply Acts 1900 to 1909.
The undertaking of the Cleveland and Durham County Electric Power Company.	<p>The Cleveland and Durham County Electric Power Acts 1901 to 1928.</p> <p>The Cleveland and Durham County Electricity (No. 1) Order 1931.</p> <p>The Cleveland and Durham County Electricity (No. 2) Order 1931.</p> <p>The Hartlepool Corporation Electric Lighting Order 1899.</p> <p>The Bishop Auckland Electric Lighting Order 1900.</p> <p>The Bishop Auckland Electric Lighting (Amendment) Order 1904.</p> <p>The Consett Electric Lighting Order 1901.</p> <p>The Benfieldside Electric Lighting Order 1901.</p> <p>The Thornaby-on-Tees Electric Light- ing Order 1902.</p> <p>The Auckland Rural Electric Lighting Order 1903.</p> <p>The Masham Urban District Council Act 1920.</p> <p>The Billingham Electricity Special Order 1923.</p>

[22 & 23 GEO. 5.] *North-Eastern* [Ch. xxxii.]
Electric Supply Act, 1932.

Column 1. Name of Undertaking.	Column 2. Special Acts and Orders applicable to that Undertaking.	A.D. 1932.
The undertaking of the Cleveland and Durham County Electric Power Company— <i>cont.</i>	<p>The South Durham Districts Electricity Special Order 1927.</p> <p>The Boroughbridge and District Electricity Special Order 1928.</p> <p>The Northallerton Electricity Special Order 1928.</p> <p>The Stokesley Districts Electricity Special Order 1929.</p> <p>The Wear Valley Electricity Special Order 1929.</p> <p>The North Crook Electricity Special Order 1930.</p>	
The undertaking of the Northern Counties Electricity Supply Company Limited.	<p>The Northern Counties Electricity Supply Company Limited Act 1913.</p> <p>The Cowpen Electric Lighting Order 1900.</p> <p>The South Blyth Electric Lighting Order 1900.</p> <p>The Hebburn Electric Lighting Order 1900.</p> <p>The Spennymoor Electric Lighting Order 1900.</p> <p>The Thirsk Electric Lighting Order 1900.</p> <p>The Malton Electric Lighting Order 1900.</p> <p>The Felling Electric Lighting Order 1901.</p> <p>The Alnwick Electric Lighting Order 1901.</p> <p>The Norton Electric Lighting Order 1901.</p> <p>The Shildon Electric Lighting Order 1901.</p> <p>The Bedlingtonshire Electric Lighting Order 1902.</p> <p>The Morpeth Ashington and Newbiggin-by-the-Sea Electric Lighting Order 1902.</p> <p>The Saltburn-by-the-Sea Electricity Special Order 1924.</p>	

[Ch. xxxii.] *North-Eastern* [22 & 23 GEO. 5.]
Electric Supply Act, 1932.

A.D. 1932.	Column 1.	Column 2.
—	Name of Undertaking.	Special Acts and Orders applicable to that Undertaking.
—	—	—
	The undertaking of the County of Durham Electrical Power Distribution Company Limited.	The Gateshead Electric Lighting Order 1899. The Durham Corporation Electric Lighting Order 1899. The Jarrow Electric Lighting Order 1900. The Chester-le-Street Electric Lighting Order 1902. The Blaydon Electric Lighting Order 1902. The Blaydon Electric Lighting Order 1906. The South Shields Rural Electric Lighting Order 1903. The Whickham Electric Lighting Order 1903. The Whickham Electric Lighting (Transfer of Powers) Order 1904. The Sunderland Districts Electric Lighting Order 1904. The Durham Districts Electric Lighting Order 1905. The Ryton Electric Lighting Order 1906. The Mid-Durham Electric Lighting Order 1906.
	The undertaking of the Houghton - le - Spring and District Electric Lighting Company Limited.	The Houghton-le-Spring and District Electric Lighting Order 1904. The Houghton-le-Spring and District Electric Lighting Order 1904 Amendment Order 1905.

PART II.

ENUMERATING THE SCHEDULED COMPANIES NOT POSSESSING STATUTORY POWERS.

Tees Power Station Company Limited.
 Cleveland and Durham Electric Power Limited.
 The Carville Site and Power Company Limited.

THE THIRD SCHEDULE.

A.D. 1932.

PRESCRIBING THE PROPORTIONS IN WHICH ORDINARY SHARES OF THE COMPANY ARE TO BE SUBSTITUTED FOR ORDINARY SHARES AND IN WHICH PREFERENCE SHARES OF THE COMPANY ARE TO BE SUBSTITUTED FOR PREFERENCE SHARES OR PREFERENCE STOCK OF THOSE SCHEDULED COMPANIES IN WHICH ANY SUCH SHARES OR STOCK ARE HELD OTHERWISE THAN BY THE COMPANY OR BY ANY OTHER SCHEDULED COMPANY.

Column 1.

Column 2.

To each holder (other than the Company and the Cleveland Limited Company) of ordinary shares in the Northern Counties Electricity Supply Company Limited.	One ordinary share in the Company in respect of each three ordinary shares in the Northern Counties Electricity Supply Company Limited held by him.
To each holder (other than the Company) of ordinary shares of one pound each in the Cleveland Limited Company.	Three ordinary shares in the Company in respect of each four ordinary shares in the Cleveland Limited Company held by him.
To each holder (other than the Company) of 5 per cent. preference shares of one pound each in the Cleveland Limited Company.	Four 5 per cent. preference shares of one pound each in the Company in respect of each five 5 per cent. preference shares of one pound each in the Cleveland Limited Company held by him.
To each holder (other than the Company) of funded preference income stock in the Cleveland Limited Company.	Four 5 per cent. preference shares of one pound each in the Company in respect of each £7 of funded preference income stock in the Cleveland Limited Company held by him.

A.D. 1932.

THE FOURTH SCHEDULE.

ENUMERATING THE PROVISIONS OF THE NEWCASTLE ACTS THE DURHAM ACTS AND THE CLEVELAND ACTS REPEALED BY THIS ACT.

Act.	Section.	Marginal Note.
The Newcastle-upon-Tyne Electric Supply Company's Act 1906.	7	Power to acquire undertakings of local authorities and others.
The Newcastle-upon-Tyne Electric Supply Company's Act 1906.	10	Company may acquire generating stations.
The Newcastle-upon-Tyne Electric Supply Company's Act 1906.	Sub-section (2) of section 18	For protection of Corporation of Newcastle-upon-Tyne.
The County of Durham Electric Power Supply Act 1906.	20	Company may work &c. generating stations.
The Cleveland and Durham County Electric Power Act 1903.	4	Transfer of undertakings ³¹ of local authorities and others to Company.
The Cleveland and Durham County Electric Power Act 1913.	3	Company may acquire generating stations.
The Cleveland and Durham County Electric Power Act 1928.	29	Transfer of undertakings of other undertakers to Company.
The Cleveland and Durham County Electric Power Act 1928.	30	Acquisition sale ³³ &c. of generating stations &c. by agreement.

Printed by EYRE AND SPOTTISWOODE LIMITED,
 FOR
 WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of
 Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
 Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;
 York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
 15, Donegall Square West, Belfast;
 or through any Bookseller.