
CHAPTER 41.

An Act for establishing a Water Board to manage the supply of Water within London and certain adjoining Districts, for transferring to the Water Board the undertakings of the Metropolitan Water Companies, and for other purposes connected therewith.

[18th December 1902.]

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 :

Establishment of Water Board.

1.—(1) A board, to be called the Metropolitan Water Board, and in this Act referred to as “the Water Board,” shall be established for the purpose of acquiring by purchase and of managing and carrying on the undertakings of the companies mentioned in the First Schedule to this Act (in this Act referred to as “metropolitan water companies”), and generally for the purpose of supplying water within the area described in the Second Schedule to this Act, subject to such alterations therein as may be made by or under this Act (which area is in this Act referred to as “the limits of supply”).

Establishment
of Water
Board.

(2) The Water Board shall be a body corporate with a common seal, having power to acquire and hold land for the purposes of this Act without licence in mortmain.

(3) Subject to the provisions of this Act, the Water Board shall consist of a chairman, a vice-chairman and other members; the chairman and vice-chairman shall be appointed by the Water Board, and the other members shall be appointed as follows:—

Fourteen by the London County Council.

Two by the common council of the City.

Two by the council of the city of Westminster.

One by the council of each of the other metropolitan boroughs.

One by the county council of Essex.

Two by the council of the borough of West Ham.

One by the council of the urban district of East Ham.

One by the council of the urban district of Leyton.

One by the council of the urban district of Walthamstow.

One by the councils of the urban districts of Buckhurst Hill, Chingford, Loughton, Waltham Holy Cross, Wanstead and Woodford.

One by the county council of Kent.

One by the councils of the urban districts of Beckenham, Bromley, Chislehurst, Penge, Bexley, Dartford, Erith and Footscray.

One by the county council of Middlesex.

One by the council of the urban district of Tottenham.

One by the council of the urban district of Willesden.

One by the council of the borough of Ealing and the councils of the urban districts of Acton and Chiswick.

One by the councils of the urban districts of Brentford, Hampton, Hampton Wick, Hanwell, Heston and Isleworth, Sunbury, Teddington and Twickenham.

One by the councils of the urban districts of Edmonton, Enfield and Southgate.

One by the councils of the urban districts of Hornsey and Wood Green.

One by the county council of Surrey.

One by the council of the borough of Kingston and the councils of the urban districts of East and West Molesey, Esher and the Dittons, Ham, Surbiton, Barnes, the Maldens and Coombe and Wimbledon.

One by the county council of Hertfordshire.
 One by the Conservators of the River Thames.
 One by the Lee Conservancy Board.

(4) The Water Board may pay to the chairman and vice-chairman or either of them such salary or salaries as the Board may determine.

(5) Subject to the provisions of this section, the provisions of the Third Schedule to this Act, with respect to the constitution and proceedings of the Water Board, shall have effect.

Transfer to Water Board of Undertakings of Companies.

Transfer of
 undertakings
 of water
 companies to
 Board.

2.—(1) Subject to the provisions of this Act, as from the appointed day the undertaking of each of the metropolitan water companies shall be transferred to, and shall vest in, the Water Board, and there shall also be transferred from each company to the Water Board all liabilities with respect to any debenture stock or mortgage debt of such company, and all other debts, liabilities and obligations of such company then existing.

(2) The Water Board shall pay to each company, as compensation for the transfer of their undertaking, such sum as may be agreed on between the Board and the company, or, in default of agreement, as may be determined by arbitration under this Act, but the sum so payable may, if the Water Board and the company so agree, be discharged wholly or partly in water stock.

(3) An agreement for the purposes of this section shall not be made except in pursuance of a resolution of an absolute majority of the whole number of the Water Board, after ten clear days' notice in writing of the meeting and of the intention to propose the resolution has been given to every member of the Board, and any such notice shall state the amount of the sum to be paid, or of the water stock to be issued, under the proposed agreement. Any such agreement shall be valid only if, and so far as, it is confirmed by the Court of Arbitration constituted by this Act, and that Court may confirm the agreement either with or without modifications.

Effect of
 transfer.

3. Subject to the provisions of this Act, as from the appointed day, the Water Board shall hold the undertaking of each metropolitan water company and may exercise all the rights, powers, authorities and privileges of the company, and shall (to the exclusion of the company) be subject to all the duties, obligations and liabilities of the company, under the Acts, whether local or general, and the charters, orders and other provisions relating to the company, in like manner *mutatis mutandis* as if they were the company; and, where the company are, immediately before the appointed day, supplying water otherwise than in bulk in any parish in which they are not, by the Acts relating to the company, authorised to supply water, those Acts and all public general Acts applying to the metropolitan water companies shall, as from that date, extend and apply to that parish and the works of the company comprised therein, as if the parish had been a parish in which the company were authorised to supply water:

Provided that so much of any Act as authorises or requires any such company to supply water otherwise than in bulk in any place which, in accordance with the provisions of this Act, ceases to be within the limits of supply, shall not, so long as that place continues to be without the limits of supply, apply to the Water Board.

4. As from the appointed day any debts, debenture stock or rentcharges or other annual payments, secured on the undertaking or income of any of the metropolitan water companies, or any part thereof, shall be, by virtue of this enactment, secured in like manner on the water fund established by this Act, and any debts, debenture stock or rentcharges or other annual payments charged on any specific property of any such company shall remain charged on that property; and the mortgagee or other person secured shall have the same rights and remedies, as nearly as may be, against the Water Board and the water fund or any specific property charged, as he would have had against the company and the undertaking or income or the specific property charged, if this Act had not been passed.

Security for mortgage and other debts transferred to Board.

5.—(1) The money or stock to which a metropolitan water company become entitled under this Act, in consideration for the transfer of their undertaking, shall be paid or issued to the company by the Water Board within six months after the appointed day or after the ascertainment of the amount thereof, whichever date is the later.

Discharge, application and distribution of compensation.

(2) The money or stock so paid or issued shall be applied and distributed in the manner provided with respect to the company in the Fourth Schedule to this Act. This subsection shall not apply to the New River Company.

6.—(1) As soon as the compensation to which any metropolitan water company are entitled has been applied and distributed in accordance with the provisions of this Act, the Chamberlain of the City of London shall transfer to the Water Board all money or other property received by him in respect of the stock or shares of the company held by him and applicable as a sinking fund towards the purchase of the undertaking of the company under the special Acts of the company, and shall at the same time transfer to the Water Board any debenture stock or money held by him and applicable towards the same purpose.

Application of sinking funds.

(2) Any water stock or debenture stock transferred to the Water Board under this section shall be forthwith cancelled and extinguished.

(3) So much of any local Act as requires any such company to make periodical payments to any such fund as aforesaid shall not apply to the Water Board.

7.—(1) Within two years from the appointed day all irredeemable debenture stock shall be extinguished, and the Water Board shall issue to the holders thereof, in substitution therefor, the amount of water stock to which they are severally entitled under this section.

Substitution of water stock for irredeemable debenture stock.

(2) The amount of water stock to be so issued to a holder of debenture stock shall be such an amount as is sufficient to produce the same sum by way of income as the debenture stock in substitution for which it is issued.

(3) As soon as the Water Board resolve to issue water stock in substitution for any debenture stock under this section, they shall give notice of their intention to do so by advertising it once in the London Gazette and in two or more London daily newspapers, and by sending notice by post to each of the holders of that debenture stock, to his registered address, and the notice shall specify the place and the time, not being less than three months from the date of the notice, at which the issue of water stock will be made.

(4) Before water stock is issued under this section in substitution for any debenture stock, the certificate of that stock shall be produced and delivered to the Water Board: Provided that the Water Board shall dispense with the production and delivery of a certificate upon receiving such indemnity as may be reasonably required.

(5) As from the time fixed by the notice for the issue of water stock in substitution for any debenture stock, that debenture stock shall be cancelled and extinguished, and no interest shall after that time accrue due in respect thereof, but the water stock issued in substitution therefor shall carry interest as from the time so fixed.

(6) Water stock issued under, and for the purposes of, this section shall not be redeemable until after the expiration of sixty years from the thirty-first day of March one thousand nine hundred and three.

(7) The water stock under this section substituted for any irredeemable debenture stock shall be held in the same rights, on the same trusts, and subject to the same powers, provisions, charges and liabilities, as those in, on or to which the debenture stock was held immediately before the substitution, and so as to give effect to, and not to revoke, any deed, will or other instrument or testamentary or other disposition disposing of or affecting the debenture stock; and every such deed, will instrument or disposition shall take effect with reference to the whole or a proportionate part, as the case may be, of the substituted water stock.

Provisions as to redeemable debenture stock and mortgage debts.

8.—(1) The Water Board shall, within one hundred years from the thirty-first day of March one thousand nine hundred and three, purchase or redeem, and pay off, all redeemable debenture stock and all mortgage debts, and any stock so purchased or redeemed by the Board shall, as from the date of the purchase or redemption, be extinguished and cancelled.

(2) The holder of any such debenture stock or mortgage debt, whether or not he is a trustee or under any disability, may agree with the Water Board to accept water stock in lieu of money in consideration for his debenture stock or mortgage debt.

(3) Nothing in this section shall be construed as authorising the Water Board to redeem debenture stock otherwise than in accordance with the conditions as to redemption applicable to the stock.

9. With respect to the New River Company and the undertaking thereof, the following provisions shall have effect notwithstanding anything in this Act contained:—

Special provisions as to New River Company.

- (1) The undertaking of the New River Company shall not include any landed estate, houses or property of the company not directly used for, or connected with, their water supply, nor any books, accounts or documents relating solely to such estate, houses and property, nor any books, accounts or documents which, though connected with their water supply, also relate to other parts of the undertaking or property of the New River Company, all which landed estate, houses and property and books, accounts and documents so excepted shall be specified in a schedule sealed with the seal of the company, and signed by the governor of the company and by a secretary of the Local Government Board, and deposited with that Board; and all such estate, houses and property and every part thereof shall, as from the appointed day, be absolutely freed and discharged from the debenture stock of the New River Company and the Staines Reservoirs guaranteed debenture stock, and from all principal moneys and interest thereby secured.
- (2) There shall be excepted from the debts, liabilities and obligations of the New River Company transferred to the Water Board all debts, liabilities and obligations of that company incurred solely in respect of such estate, houses and property as aforesaid, or any part thereof.
- (3) The undertaking of the New River Company shall not include such part of the offices and premises in Rosebery Avenue, now in the occupation of that company, and the office furniture and fittings therein as may, after the appointed day, be reasonably required for the purposes of the company; and all structural or other alterations which may be requisite for the division of the said offices and premises shall be executed at the expense of the Water Board, and, in case of difference as to such division or the cost thereof, the same shall be settled by the Court of Arbitration.
- (4) The sum payable to the New River Company as compensation for the transfer of their undertaking shall be discharged wholly in water stock, and the amount thereof shall, in default of agreement made in accordance with the provisions of section two of this Act, be determined by arbitration under this Act.
- (5) The Court of Arbitration constituted under this Act shall settle and determine the shares and proportions in which so much of the water stock issued to the New River Company under this Act as is distributable amongst the shareholders of the company shall be apportioned as between—
 - (a) the owners of the thirty-six parts or shares in the Adventurers' moiety of the undertaking of the New River Company (herein-after referred to as "the Adventurers' shares"); and

- (b) the owners of the thirty-six parts or shares in the King's moiety of the undertaking of the New River Company (herein-after referred to as the "King's shares"); and
- (c) the owners of the New River Company's new shares issued under the New River Company's Act, 1866;

But, in determining the proportion of water stock to be apportioned to the owners of the Adventurers' shares, the Court of Arbitration shall have regard to the sum payable to the New River Company under this Act and distributable amongst the directors by way of compensation for loss of office.

- (6) The transfer of the undertaking of the New River Company to the Water Board shall include the transfer of all interest and estate of any shareholder of the company in any land or property forming part, or used for the purposes, of the undertaking of the company and not excepted by the provisions of this section.
- (7) Every Adventurers' share and every King's share, and every part of an Adventurers' or King's share, and any water stock issuable or issued in respect of any such share or part of a share, and the right to receive any such water stock, shall—
 - (i) until the appointed day; and
 - (ii) after the appointed day, but thereafter only unless or until—

- (a) some person who is sui juris is absolutely entitled beneficially in possession to or has a general power to dispose of such share or part of a share, or such water stock, or

- (b) such share or part of a share, or such water stock or the right to receive such water stock, is transferred on a sale to a purchaser,

for all purposes of disposition, transmission and devolution, be considered as land, and (so far as regards such water stock or right to receive water stock) be held for and go to the same persons; in the same manner and for and on the same estates, interests and trusts as the Adventurers' or King's share, or the part of an Adventurers' or King's share, in respect of which the water stock is issuable or issued, would have been held and have gone under any will, settlement or other instrument affecting that share or part of a share, or otherwise, if this Act had not been passed.

For the purposes of this provision, the expression "general power" includes every power or authority enabling the donee or other holder thereof to appoint or dispose of the fee simple or absolute interest of or in property in possession as he thinks fit, but exclusively of any power exercisable in a fiduciary capacity or exercisable as tenant for life under the Settled Land Acts, 1882 to 1890, or as mortgagee.

- (8) The New River Company shall, in the next or next succeeding session of Parliament, introduce into Parliament a Bill to make provision for the application and distribution

of the water stock issued to the New River Company in consideration for the transfer of their undertaking, and provisions shall be inserted in such Bill for (amongst other matters) the following, that is to say:—

- (a) The distribution of the water stock amongst the several persons entitled to or interested in the Adventurers' shares, the King's shares and the New River Company's new shares respectively, with all such provisions as may be necessary or desirable for the purpose of preserving the respective rights of such several persons and otherwise in relation to such stock;
- (b) The transfer into court of any water stock in any case where the New River Company are unable to find the person to whom the same is issuable, or where the New River Company are unable to obtain an effectual discharge for the same;
- (c) The eventual winding up and dissolution or the reconstruction of the New River Company:

And any further provisions which may be necessary or desirable in relation to the distribution of the compensation for the transfer of the undertaking of the New River Company, and for the protection of the directors of the company, shall be inserted in the Bill.

- (9) The Water Board shall, if so required by the New River Company, instead of issuing to the company the whole of the water stock to be issued to them under this Act, issue that water stock to such amounts and to such persons as the company may require, and the issue of water stock in accordance with such requirements shall to that extent discharge the Water Board of their liability to issue water stock to the company.

10. No compensation shall be payable under this Act to the Staines Reservoirs Joint Committee for the transfer of their undertaking to the Water Board, and on the appointed day that committee shall be dissolved, but nothing in this section shall prejudice or affect any claim which any metropolitan water company make in respect of the interest of the company in the undertaking of the joint committee or any expenditure by the company in respect of the said undertaking.

Provisions as to Staines Reservoirs Joint Committee.

Provisions as to certain Boroughs and Districts.

11.—(1) As from the appointed day, the water undertaking of the councils of the urban district of Tottenham and of the urban district of Enfield shall be transferred to and shall vest in the Water Board freed from all debts, liabilities and obligations of the council incurred in respect of, or attaching to, the undertaking.

Transfer of water undertakings of the Tottenham and Enfield District Councils.

(2) The Water Board shall pay to each council, in consideration for the undertaking so transferred, such a sum as may be agreed on between the Board and the council, or, in default of agreement, as may be determined by arbitration under this Act.

(3) All securities granted before the appointed day on the credit of any fund or rate of either of the said councils, as well as all unsecured debts, liabilities and obligations incurred by either of those councils in respect of their water undertaking, shall be discharged, paid and satisfied by that council.

(4) Each council shall apply any sum received by them under this section in discharging any capital liabilities incurred by them in respect of their water undertaking or, with the consent of the Local Government Board, for any other purpose for which capital money may be applied by the council, or partly in the one way and partly in the other.

(5) The Water Board shall, as from the appointed day, supply water in such parts of the urban district of Tottenham as are, immediately before that date, supplied by the council thereof, and that supply shall be furnished by the Board as if in exercise of their powers as successors of the New River Company; and the Acts relating to, and the regulations made by, that company shall apply not only to the parts so supplied, but also to the remaining parts of that district, except the portion supplied by the East London Waterworks Company.

(6) The Water Board shall, as from the appointed day, supply water in such parts of the urban district of Enfield as are, immediately before that date, supplied by the council thereof, and that supply shall be furnished by the Board as if in exercise of their powers as successors of the New River Company; and the Acts relating to, and the regulations made by, that Company shall apply not only to the parts so supplied, but also to the remaining parts of that district, subject however, as regards a portion of the district of Enfield, to the provisions of this Act with respect to the Barnet District Gas and Water Company.

(7) The provisions of this Act as to—

- (a) the inspection of works; and
- (b) the inspection and taking copies of and extracts from books, accounts and documents; and
- (c) Existing officers and existing servants; and
- (d) Agreements

shall apply to the waterworks, and the books, accounts and documents relating thereto, and the officers and servants employed solely thereon or in connection therewith, of the councils of the urban districts of Tottenham and Enfield, and to agreements between the Water Board and those councils, in like manner as they apply to the works, books, accounts and documents and existing officers and existing servants of the metropolitan water companies, and to agreements between the Water Board and those companies.

(8) For the purposes of this section, the expression "water undertaking" includes all lands, buildings, wells, works, materials and plant of the councils suitable to and used by them for the purposes of supplying water within their districts, and all books, accounts and documents relating solely thereto.

12. As from the appointed day, such parts of the boroughs of Croydon and Richmond and of the urban districts of Cheshunt and Ware as are within the limits of supply shall cease to be within the limits of supply, and the powers, rights and duties of the councils of those boroughs and districts with respect to the supply of water shall extend throughout their respective boroughs and districts, and all such waterworks and plant transferred to the Water Board under this Act as are situate in any such borough or urban district, and which are, at the passing of this Act, or have been, within six months immediately previous thereto, in actual use for the supply of any part of the borough or district (other than waterworks or plant used for supplying with water any other place within the limits of supply), shall be transferred to, and shall vest in, the council of the borough or district in which they are so situate, upon such terms as may be agreed upon between the council and the Water Board, or, in default of agreement, as may be determined by arbitration under this Act; and the council shall also pay to the Water Board, in respect of the loss by the Water Board, and the acquisition by the council, of the right of supplying water within the parts of the borough or urban district within which the council are not supplying water at the passing of this Act, such sum (if any) as may be agreed upon or determined in like manner

Provisions as to certain boroughs and urban districts.

13. (1) The Water Board shall, if required by the council of the borough of Croydon or Richmond or of the urban district of Cheshunt or Ware, or by the council of any rural district situate wholly or partly within the limits of supply, supply water in bulk to that council for use within any part of the district of the council which at the passing of this Act was within the limits of supply, in such quantities and at such price and generally upon such terms and conditions as may be agreed upon between the council and the Water Board, or, in default of agreement, as may be determined by arbitration; and the agreement or award may provide for the revision, from time to time, of the quantity of water to be supplied, and the price, terms and conditions of the supply, and for the discontinuance of the supply, in such manner as may be specified in the agreement or award:

Supply in bulk to certain districts and persons.

Provided that, if the Water Board are required to supply water in bulk to the council of a rural district, the district shall cease to be within the limits of supply, and, if the district is one in which, at the date of the requisition, there are situate any waterworks and plant belonging to the Water Board, which are, at the date of such requisition, or have been, within six months immediately preceding thereto, in actual use for the supply of any part of such district, the waterworks and plant so situate and used (except the waterworks or plant necessary for supplying with water any other place within the limits of supply) shall be transferred to, and shall vest in, the council upon such terms as may be agreed upon between the council and the Water Board, or, in default of agreement, as may be determined by arbitration; and the council shall also pay to the Water Board, in respect of the loss by the Water Board, and the acquisition by the council, of the right of supplying water

within the parts of the district within which the council are not supplying water at the date of such requisition, such sum (if any) as may be agreed upon or determined in like manner.

(2) Where the price to be paid for a supply of water in bulk or the quantity of water to be so supplied or the terms and conditions of the supply can be determined in the course of an arbitration held for the purpose of determining the price to be paid for waterworks and plant transferred by this Act to the council of a borough or urban district or the sum to be paid in respect of the right of supplying water, the price, quantity, terms or conditions shall, if necessary, be determined at that arbitration; but, save as aforesaid, an arbitration under this section shall be in accordance with the provisions of the Public Health Act, 1875, with respect to arbitrations authorised by that Act, and the provisions as to arbitrations under this Act shall not apply.

38 & 39 Vict.
c. 55.

(3) Where any metropolitan water company, before the passing of this Act, have from time to time supplied water in bulk to any person in any district in which the company are not authorised to supply water, the Water Board may continue to furnish such a supply upon such terms and subject to such conditions as may be agreed upon between the Water Board and the person supplied.

Special pro-
visions as to
Hertfordshire.

14.—(1) The quantity of water to be supplied in bulk under the provisions of this Act by the Water Board to the council of an urban or rural district in Hertfordshire shall not be determined by agreement or arbitration, but shall be such quantity as the council may require, so, however, that the quantity required in any quarter shall not exceed such quantity as will suffice to afford the like quantity of water per head of the population within the area supplied by the council as was, during the corresponding quarter in the preceding year, supplied per head of the population within the limits of supply, and that the quantity required in any one day shall not exceed one sixtieth of the total quantity which can be required during the quarter comprising that day; and any questions arising under this subsection shall be determined by the Local Government Board.

(2) In the event of the council of the urban district of Hoddesdon becoming entitled to construct waterworks within their district, the provisions of this Act relating to the supply of water in bulk to the councils of rural districts shall apply as if that urban district were a rural district in Hertfordshire.

Financial Provisions.

Expenses of
Board.

15.—(1) There shall be established a water fund, and all receipts of the Water Board shall be carried to that fund, and all payments by the Board shall be made out of that fund.

(2) Any sum required to meet any deficiency in the water fund, whether for satisfying past or future liabilities, in any financial year, shall be apportioned amongst the City of London and the metropolitan boroughs in the County of London and the municipal boroughs and urban districts outside London, the

councils of which are for the time being entitled to be represented on the Water Board, in proportion to the rateable value appearing in the valuation lists in force on the preceding sixth day of April of the hereditaments at that date supplied with water by the Water Board or any metropolitan water company or the council of the urban district of Tottenham or Enfield in the City and each such borough and district.

(3) The Water Board shall issue precepts for the sums apportioned to the City and the several boroughs and districts liable—

- (a) in the case of the City of London, to the common council ;
- (b) in the case of a metropolitan borough, to the council of that borough ;
- (c) in the case of a municipal borough or urban district, to the council thereof ;

and the council shall pay to the Water Board the amount specified in the precept.

(4) The amount required by any such precept shall be paid—

- (a) in the case of the City, out of the consolidated rate ;
- (b) in the case of a metropolitan borough, as part of the expenses incurred by the council thereof ;
- (c) in the case of a municipal borough or urban district, out of the fund or rate out of which the expenses of the council thereof, incurred in the execution of the Public Health Acts, are payable.

(5) A demand note for any rate levied for defraying any expenses of the Water Board, together with other expenses, shall state, as a separate item, the amount to be paid for defraying the expenses of that Board.

(6) The Water Board shall not, until Parliament otherwise determine, reduce the rates charged for the supply of water below those in force during the quarter ending the twenty-fourth day of June one thousand nine hundred and two, unless the Board are satisfied that such a reduction would not cause a deficiency in the water fund ; but the Water Board shall, within three years after the appointed day, introduce into Parliament a Bill providing for uniform scales of charges applicable throughout the limits of supply.

(7) Within three years after the appointed day, the Water Board may prepare and publish in the London Gazette a scheme enabling their charges for the supply of water to be collected together with any local rate.

Any local or rating authority within the limits of supply may transmit to the Local Government Board their objections to any such scheme within forty days after the scheme is published in the London Gazette.

16.—(1) The Water Board may borrow money for the purpose of— Powers of borrowing.

- (a) paying any money (other than money payable by way of interest on purchase money) payable under this Act by the Water Board to a metropolitan water company ; and

- (b) paying any money payable under this Act by the Water Board to the council of the urban district of Tottenham or Enfield; and
- (c) purchasing, redeeming or paying off any debenture stock or mortgage debt; and
- (d) executing any work authorised by the Acts relating to any of the metropolitan water companies, so that the amount does not exceed the amounts which were, immediately before the appointed day, under those Acts, authorised to be raised for that purpose, but have not been raised before that date; and
- (e) paying any compensation payable under this Act (otherwise than by way of annuity);

and, with the consent of the Local Government Board, for the purpose of any payment by the Water Board or of any permanent work or other thing which the Water Board are authorised to execute or do, and which, or the cost of which, ought, in the opinion of the Local Government Board, to be spread over a term of years.

(2) All money borrowed under this section shall be raised by means of the issue of water stock under this Act, unless the Local Government Board consent to some other mode of raising the money, and, where the Local Government Board so consent, any money raised and the interest thereon shall be charged on the water fund or on such property or revenues of the Water Board, and in such manner, as the Local Government Board may sanction.

(3) Any money borrowed under this Act, if borrowed for the purpose of making any payment to a metropolitan water company, or to the council of the urban district of Tottenham or Enfield, or of redeeming, purchasing or paying off any debenture stock or mortgage debt, shall be repaid within the period of one hundred years from the thirty-first day of March one thousand nine hundred and three, and, if borrowed for any other purpose, shall be repaid within such period, not exceeding sixty years from the date of the borrowing, as the Water Board, with the consent of the Local Government Board, may determine.

(4) For the purpose of paying off a loan raised under this Act, the Water Board shall have the like powers of reborrowing as a county council have under section sixty-nine of the Local Government Act, 1888, and the provisions of that section, so far as they relate to reborrowing, shall apply as if they were herein re-enacted and in terms made applicable to the Water Board and to the security on which that Board are, by or under this Act, authorised to borrow.

(5) So much of any Local Act as relates to the method of borrowing money by a metropolitan water company shall, as from the appointed day, be repealed.

17.—(1) For the purpose of enabling the Water Board to raise money which they are authorised to borrow under this Act, and to issue any water stock which, under the provisions of this Act, is to be issued to any metropolitan water company or the holder of any debenture stock or mortgage debt, the Water Board may create a sufficient amount of stock, to be called Metropolitan

Water Stock, and in this Act referred to as "water stock," bearing interest at such a rate, not exceeding three pounds per centum per annum, as the Water Board, with the consent of the Local Government Board, and after consultation with the Governor of the Bank of England, may resolve.

(2) Water stock and the interest thereon shall be charged on the water fund and on all the revenues of the Water Board.

(3) Subject to the provisions of this Act, the provisions of section fifty-two of the Public Health Acts Amendment Act, 1890, which relates to the issue of stock by local authorities, shall apply to water stock as if it were stock created under, and the Water Board were an authority mentioned in, that section; and the regulations in respect of water stock issued to the holders of irredeemable debenture stock shall be uniform with the regulations in respect of other water stock, except as to the period of redemption and the provisions relating thereto.

(4) Water stock shall be included amongst the securities in which a trustee may invest under the powers of the Trustee Act, 1893.

18.—(1) The Water Board shall, in accordance with regulations made by the Local Government Board, by the creation of one or more sinking or redemption funds or otherwise, make provision for—

53 & 54 Vict.
c. 59.

56 & 57 Vict.
c. 53.

Provisions as
to discharge
of loans, &c.

(a) the discharge, within a period of one hundred years from the thirty-first day of March one thousand nine hundred and three, of the amount of any water stock issued by the Board in consideration for the undertaking of any metropolitan water company, or in substitution or in consideration for any debenture stock or mortgage debts; and

(b) the discharge, within that period, of all debenture stock and mortgage debts which, under this Act, are to be discharged within that period; and

(c) the discharge, within the periods within which they are, under this Act, to be discharged, of any sums borrowed by the Water Board under this Act:

Provided that, during the first twenty years of the said period of one hundred years, the Water Board shall not be required to make any payments towards the discharge of water stock, debenture stock, mortgage debts, or loans, for the discharge of which the said period of one hundred years is fixed by this Act, other than the payment in respect of each year, towards the discharge of such water stock, of the amount (if any) by which the receipts on revenue account exceed the expenditure on that account of the Water Board in that year, after deducting such sum as may be reasonably necessary for meeting current expenses. The sums so to be paid shall be paid as soon as may be after the amount thereof is ascertained, and the certificate of the auditor of the accounts of the Water Board, subject to such variations as the Local Government Board may allow, shall be conclusive as to the amount to be paid.

(2) The Local Government Board may make regulations under this section, and the regulations so made—

53 & 54 Vict.
c. 59.

(a) if they relate to the discharge of water stock, shall be made under section fifty-two of the Public Health Acts Amendment Act, 1890, as applied by this Act; and

38 & 39 Vict.
c. 88.

(b) if they relate to the discharge of any debenture stock, mortgage debts, or loans, may apply, with or without modifications, any enactments of the Local Loans Act, 1875, and the Acts amending that Act, and may contain such other provisions as appear to the Local Government Board necessary or proper for the purpose of the regulations, and shall have effect as if they were enacted in this Act.

(3) For the purpose of this section, the expression “discharge” means—

(a) with respect to water stock and debenture stock, the redemption or purchase thereof; and

(b) with respect to mortgage debts and loans, the payment off or repayment thereof.

Accounts
and audit.

19. The accounts of the Water Board, and any committee appointed by them, and of their officers, shall be made up and audited in like manner, and subject to the same provisions, as the accounts of county councils, except that a water consumer shall have the same right of being present at the audit, and of making objections and appealing, as a ratepayer has, and that the stamp duty charged on the Water Board for the purposes of the District Auditors Act, 1879, shall be such as the Treasury, after consultation with the Local Government Board, and having regard to the cost of the audit, may determine, and the enactments relating to the accounts of county councils and the audit thereof, and to all matters incidental thereto and consequential thereon, including the penal provisions, shall apply accordingly.

Provisions as
to payments
by the Water
Board.

20.—(1) At the beginning of every financial year, the Water Board shall cause to be submitted to them an estimate of the receipts and expenditure of such Board during that financial year, whether on account of property, contributions, rates, loans, or otherwise.

(2) All payments to and out of the water fund shall be made to and by the treasurer of the Water Board, and all payments out of the fund shall be made in pursuance of an order of the Water Board signed by three members of the finance committee present at the meeting of the Board and countersigned by the clerk of the Board, and the same order may include several payments.

Moreover all cheques for the payment of money issued in pursuance of such order shall be countersigned by the clerk of the Board, or by a deputy approved by the Board.

(3) The Water Board shall, from time to time, appoint a finance committee for regulating and controlling their finance, and an order for the payment of a sum out of the water fund, whether on account of capital or income, shall not be made by the Water Board except in pursuance of a resolution of the Board passed on

the recommendation of the finance committee, and any costs, debt or liability exceeding fifty pounds shall not be incurred except upon a resolution of the Board passed on an estimate submitted by the finance committee.

(4) The notice of the meeting at which any resolution for the payment of a sum out of the water fund (otherwise than for ordinary periodical payments), or any resolution for incurring any costs, debt or liability exceeding fifty pounds, will be proposed, shall state the amount of the said sum, costs, debt or liability and the purposes for which they are to be paid or incurred.

21.—(1) The payment of any money payable by a local authority to the Water Board, in respect of any waterworks and plant transferred to the authority by or under this Act, or in respect of the right to supply water within any part of the area of the authority, shall, for purposes of borrowing, be deemed to be expenses incurred by the authority in the execution of the Public Health Acts. Power of certain local authorities to borrow.

(2) The amount of money to be borrowed shall not be restricted by the limitation on borrowing contained in subsections (2) and (3) of section two hundred and thirty-four of the Public Health Act, 1875, and, in calculating the amount which the local authority may borrow under the last-mentioned Act, any money borrowed by the authority for the purposes of this Act shall not be reckoned.

22. Any money received by the Water Board from the Chamberlain of the City of London under this Act, or in respect of any waterworks and plant transferred from the Board by or under this Act, or as the proceeds of the sale of any land under this Act, and any other capital receipts of the Board, not applicable to any other purpose, shall be applied, in such manner as the Local Government Board sanction, towards any purpose for which money may be borrowed under this Act, or towards the discharge of any loan, or otherwise for any purpose for which capital money may be applied by the Water Board. Application of capital receipts.

Arbitration.

23.—(1) For the purpose of arbitrations under this Act, a Court of Arbitration shall be constituted consisting of three commissioners, and the Right Honourable Sir Edward Fry, Sir Hugh Owen, G.C.B., and Sir John Wolfe Barry, K.C.B., shall be the commissioners. Provisions as to arbitration.

(2) If any vacancy in the Court of Arbitration occurs by reason of death, resignation, or incapacity, or otherwise, the Lord Chief Justice of England shall appoint a person to fill the vacancy, and so from time to time, as occasion requires.

(3) The Court of Arbitration may appoint or employ such number of officers and persons as they may think necessary for the purpose of assisting in the execution of their duties under this Act, and may remove any officer or person so appointed or employed, and, for the purpose of obtaining any information which the Court may require, may direct any commissioner or any

such officer or person to hold an inquiry. But nothing in this Act shall authorise the commissioners to delegate any of their judicial duties as arbitrators.

(4) There shall be paid to the commissioners, and to any officer or person appointed or employed under this section, such salaries or other remuneration as the Local Government Board may assign, and that remuneration, and all expenses of the Court of Arbitration incurred with the sanction of the Local Government Board in the execution of this Act, shall be paid by the Water Board.

(5) Subject to the provisions of this section, the authority of the Court of Arbitration shall extend to the settlement and the determination by them, on such terms and in such manner as is most just and fit, of the matters referred to them, and also of all such matters and questions (including any adjustment of accounts between the parties to the arbitration) as are, in their judgment, incidental thereto or consequential thereon, to the end that their award or awards may effect a final and equitable settlement.

(6) Every award, order and other instrument made by or proceeding from the Court of Arbitration under this Act shall be binding and conclusive to and for all intents and purposes, and shall have the like effect as if it had been made by a Judge of the High Court, and shall be acted on, obeyed, executed and enforced accordingly.

The Court may make one or more awards dealing with the matters referred to them.

The Court of Arbitration may state their award, or any part thereof, in the form of a special case for determination by the Court of Appeal, and may, at any stage of the proceedings at an arbitration, and shall, if so directed by the Court of Appeal, state, in the form of a special case, for determination by the Court of Appeal, any question of law arising in the course of the arbitration, and an appeal shall, with the leave of the Court of Appeal but not otherwise, lie from the Court of Appeal to the House of Lords; but, subject to any order made by the House of Lords in accordance with the Appellate Jurisdiction Act, 1876, every such appeal shall be brought within two months after the decision appealed against is pronounced by the Court of Appeal, if the House of Lords is then sitting, or, if not, within fourteen days after the House of Lords next sits. The Court of Arbitration shall act in accordance with the decision arrived at in any such case.

(7) The Court of Arbitration may act by two of their number, and notwithstanding any vacancy in their number. Subject as aforesaid, the Court may regulate their own procedure and the procedure at an inquiry held under this section.

(8) In fixing the sum to be paid by the Water Board as hereinbefore provided, the Court of Arbitration shall determine the value of the undertaking of each metropolitan water company, as if, with the necessary modifications, the law of compensation for the purposes of the Lands Clauses Acts were applicable to the case: Provided that the Court shall not make any allowance for compulsory sale, and shall not take into account any enhancement or depreciation of the market value of any stock or shares of the

Company, which, in the opinion of the Court, was caused by, or resulted from, the passing or the anticipation of the passing of this Act; but the Court may make such allowance as they think just for recoupment of any loss of interest pending re-investment, as well as for the cost of re-investment, and for covering any costs, charges and expenses (other than costs incurred in any arbitration under this Act) which have been, or are likely to be, incurred, in consequence of the passing of this Act, by any metropolitan water company or the shareholders or stockholders therein, and which ought, in the opinion of the Court, to be borne by the Water Board.

(9) The costs of any metropolitan water company incurred in an arbitration under this Act shall, except and so far as the Court of Arbitration otherwise determine, be borne by the Water Board, and the costs of any other person attending an arbitration under this Act shall be in the discretion of the Court of Arbitration, and that Court may order the taxation of any costs in such manner and on such scale or principle as they may think fit. And the costs of and incidental to any proceedings in the Court of Appeal, and the statement of a case under this section, shall be in the discretion of the Court of Appeal.

(10) The provisions of the Arbitration Act, 1889, relating to—

- (a) The administration of oaths and the taking of affirmations and
- (b) The correction in an award of mistakes and errors; and
- (c) The summoning, attendance and examination of witnesses and the production of documents; and
- (d) False evidence

shall apply to arbitrations under this Act and also (except with regard to the correction of mistakes and errors in awards) to inquiries held under this section; but, save as aforesaid, the Arbitration Act, 1889, shall not apply to arbitrations under this Act.

(11) The Court of Arbitration shall commence their sittings within nine months after the passing of this Act, and shall proceed with the arbitrations so as to make, as far as possible, all their awards before the appointed day.

Miscellaneous.

24.—(1) The Water Board shall, for the purposes of their powers and duties under this Act or otherwise with respect to the supply of water within the limits of supply, have power—

Subsidiary powers of Water Board.

- (a) to manage, alter, enlarge and, with the consent of the Local Government Board, to alienate, any land or buildings transferred to them under this Act, or otherwise vested in the Water Board; and
- (b) to acquire, hire, erect and furnish such buildings and offices as they may require, whether within or without the limits of supply, and for that purpose to acquire purchase or take on hire or exchange land: Provided that nothing in this section shall authorise or empower the Board to acquire any

waterworks or wells, or to use any lands or any easements or any rights in or over lands acquired under the powers of this section, for the purpose of obtaining water for public supply; and

(c) to promote or oppose any Bill in Parliament and prosecute or defend legal proceedings.

(2) For the purposes of this section, sections one hundred and seventy-six, one hundred and seventy-seven and one hundred and seventy-eight of the Public Health Act, 1875, shall, except so far as they relate to the acquisition of land otherwise than by agreement, apply as if they were herein re-enacted and in terms made applicable to the Water Board.

(3) The clerk of the Water Board, or any officer or member thereof acting under a general or special resolution of the Board, may authorise the institution and carrying on or the defence of any proceeding which the Board are authorised to institute, carry on, or defend. Any information or complaint under the provisions of this Act or any other Act, whether local or general, applying to the undertakings of the metropolitan water companies or of the Water Board, or any byelaws or regulations made thereunder, may be laid or made by an officer or member of the Water Board or by the clerk.

(4) The Superannuation (Metropolis) Act, 1866, shall apply to the Water Board as if the Board were an authority mentioned in that Act.

Provisions for securing the supply of pure and wholesome water.

25.—(1) The Water Board shall cause to be made chemical and bacteriological examinations of, and experiments as to the condition of, the water to be supplied by them.

(2) The Water Board shall supply such buildings, apparatus and plant and such staff and construct such works as may be required for enabling such examinations and experiments to be conducted efficiently.

(3) The persons employed by the Water Board to make examinations and experiments under this section shall periodically report to the Water Board the result of their examinations and experiments, and a copy of the report shall, at the same time, be sent to the water examiner.

(4) The Water Board shall take and record such observations as may be required by the Local Government Board.

(5) The water examiner shall, at all reasonable times, have free access to the works of the Water Board for the purpose of inspecting those works, and shall have all proper facilities for making such inspection.

Power of the Local Government Board to make provisional orders for certain purposes.

26.—(1) If at any time, by reason of the variation of population or the constitution or inclusion within the limits of supply of any borough or urban district, it is proved, to the satisfaction of the Local Government Board, that the representation on the Water Board of any borough or district ought to be varied, or that any borough or urban district within the limits of supply ought to be represented on the Water Board, the Local Government Board

may make an order altering the representation of boroughs and urban districts and may, by any such order, alter the total number of members of the Board.

(2) The Local Government Board may, by order on the application of the Water Board, include within the limits of supply any district which, having, as a rural district or as a part thereof, ceased to be within the limits of supply, has subsequently been made an urban district.

(3) The Local Government Board may by order make such adaptations in the provisions of any general or local Act relating to the metropolitan water companies, or any of them, as may be necessary in consequence of the passing of this Act.

(4) An order under this section may contain any incidental, consequential or supplemental provisions which may appear to be necessary or proper for the purposes of the order, but shall be provisional only, and shall not have effect unless confirmed by Parliament; and sections two hundred and ninety-seven and two hundred and ninety-eight of the Public Health Act, 1875, shall, with the necessary modifications, apply to provisional orders under this section, in like manner as they apply to provisional orders authorised to be made by the Local Government Board under that Act.

27.—(1) The Local Government Board may hold such local inquiries as they think fit in relation to any matters to which their sanction, approval or consent is required by this Act, and in relation to any other matters connected with their powers and duties under this Act. Provisions as to local inquiries.

(2) The expenses incurred by the Local Government Board in respect of any such inquiries and any other proceedings for the purposes of this Act shall be paid by the Water Board, or by such authorities and persons, and out of such funds and rates, as the Local Government Board may by order direct; and that Board may certify the amount of the expenses so incurred, and any sum so certified and directed by that Board to be paid by the Water Board or by any authority or person shall be a debt from the Water Board, or from that authority or person, to the Crown.

(3) Such expenses may include the salary of any inspector or officer of the Local Government Board engaged in the inquiry or proceeding, not exceeding three guineas a day.

(4) The Local Government Board and their inspectors appointed by them to hold such inquiry as aforesaid shall have, for the purposes of the inquiry the same powers as they respectively have for the purposes of an inquiry under the Public Health Act, 1875.

28. The Water Board shall make to the Local Government Board an annual report of their proceedings, and this report shall be laid annually before Parliament by the Local Government Board. The Water Board shall also give to the Local Government Board such returns, statistics and information, with respect to the exercise of the powers of the Water Board, as the Local Government Board may require. Annual report.

Dissolution of water companies.

29.—(1) As soon as the compensation due to any metropolitan water company shall have been duly paid or satisfied to such company in accordance with this Act, the company shall enter upon a liquidation of its affairs, and, upon the conclusion thereof, be dissolved in manner provided with respect to the company in the Fourth Schedule to this Act.

This subsection shall not apply to the New River Company or to the Staines Reservoirs Joint Committee.

(2) The several provisions and powers contained in the several special Acts of the metropolitan water companies shall remain and be of full force as regards the companies respectively, so far as the same are necessary or required for the purposes of any company up to and until the dissolution thereof :

Provided always that it shall not be obligatory to fill up any vacancy in the office of director occurring after the appointed day, and it shall be lawful for the continuing directors, for the time being, of each company to exercise all powers of directors up to and until the dissolution of the company.

Provision as to qualification of justices.

30. A justice of the peace shall not be incapable of acting in any case in which the Water Board are a party by reason only that, as a ratepayer, water consumer or holder of water stock or debenture stock, or as one of any other class of persons, he is liable to contribute to, or to be benefited by, the water fund.

Savings.

Saving of right of authorities to be heard against Bills.

31. Nothing in this Act shall affect the right of any council or other authority represented on the Water Board to be heard against any Bill or Provisional Order promoted or applied for by the Water Board.

Saving for the Colne Valley Water Company.

32. Notwithstanding anything in this Act, it shall not be lawful for the Water Board, without the authority of Parliament, to supply water in that part of the parish of Hendon which, under the Colne Valley Water Act, 1873, is within the limits of supply of the Colne Valley Water Company.

Saving for the South West Suburban Water Company.

33. Nothing contained in, or done under, this Act shall prejudice or affect any agreement between the South West Suburban Water Company and any metropolitan water company or any local authority or person, made prior to the passing of this Act, for a supply of water within the statutory district of the South West Suburban Water Company, or shall authorise the Water Board to supply water within the limits of supply of the South West Suburban Water Company, as defined by section four of the South West Suburban Water Act, 1883, except in pursuance of any such agreement.

Saving for the Sutton District Water Company.

34. The provisions of this Act shall not empower the Water Board or any local authority to supply water within the limits for the supply of water of the Sutton District Water Company, as defined by the Sutton District Waterworks Act, 1871, except so much thereof as was on the twenty-fifth day of March one thousand

nine hundred and two supplied by the Company of Proprietors of Lambeth Waterworks.

35.—(1) The Water Board shall not be entitled to supply water within so much of the urban district of Enfield as is comprised within the statutory limits of the Barnet District Gas and Water Company for the supply of water, but this restriction shall apply only if, and so long as, that company are able and willing to supply water proper and sufficient for all reasonable purposes for which it is required by the Enfield Urban District Council; and the provisions as to the settlement of differences under section fifty-two of the Public Health Act, 1875, shall apply.

Saving for the Barnet District Gas and Water Company.

(2) The provisions of this Act shall not empower the Water Board to supply water (unless with the consent of the Barnet District Gas and Water Company) within any part of the statutory limits of that company for the supply of water in which a metropolitan water company were not authorised to supply water, except to such premises as, at the appointed day, may be actually supplied by the New River Company.

36. Notwithstanding anything in this Act, it shall not be lawful for the Water Board to extend their supply of water, whether in bulk or otherwise, to or within so much of the Romford Rural District as is comprised within the statutory limits of the South Essex Waterworks Company, but this restriction shall apply only if, and so long as, that company are able and willing to supply water proper and sufficient for all reasonable purposes for which it is required by the Romford Rural District Council; and the provisions relating to the settlement of differences under section fifty-two of the Public Health Act, 1875, shall apply.

Saving for the South Essex Waterworks Company.

Definitions: Repeal: Short Title.

37. In this Act, unless the context otherwise requires,—

Definitions.

The expression "constituent authority" means a council, group of councils or other body entitled to appoint one or more members of the Water Board:

The expression "undertaking" includes, in the case of any metropolitan water company, all rights of taking, distributing and supplying water, and all other their rights, powers, authorities and privileges, and all such property, real and personal, including cash balances, reserve funds, investments and all other interests and rights in, to and out of the property, real and personal, and obligations and things in action as may be in the possession of the company, or belonging to them, immediately before the appointed day, and all books, accounts and documents relating thereto, but subject to all debts, liabilities and obligations of the company by this Act transferred to the Water Board:

The expression "appointed day" means the twenty-fourth day of June one thousand nine hundred and four, or such other day as the Local Government Board may appoint,

either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and different provisions of this Act, whether contained in the same section or in different sections, or for different authorities or different metropolitan water companies; but no day earlier than the said twenty-fourth day of June shall be appointed as respects any metropolitan water company, except with the consent of that company and the Water Board:

The expression "water consumer" means any person who is supplied with water by the Water Board, or who pays, or is liable to pay, any money charged by that Board for or in respect of the supply of water, whether under the name of rent, rate or otherwise:

The expression "debenture stock" means any debenture stock or debentures, the liability for which is transferred by this Act to the Water Board:

The expression "mortgage debt" means any debt secured by bond or otherwise, the liability for which is transferred by this Act to the Water Board:

The expression "shareholder" includes, in the case of the New River Company, the owners of, and persons interested in, the thirty-sixth parts or shares in the Adventurers moiety of the undertaking of the New River Company and the thirty-sixth parts or shares in the King's moiety of that undertaking.

Repeal.

38. The enactments mentioned in the Fifth Schedule to this Act shall, as from the appointed day, be repealed to the extent specified in the third column of that schedule.

Short title.

39. This Act may be cited as the Metropolis Water Act, 1902.

Transitory Provisions.

Maintenance of undertakings till appointed day.

40.—(1) Until the appointed day, the undertaking of each metropolitan water company shall be maintained and carried on by the company as heretofore in the ordinary course of business; but, if the Water Board think that any appointment to any office or service of the company, or any contract with respect to any matter connected with the undertaking, or any alteration in the rate of salary or wages payable to any officer or servant of the company, made by the company subsequently to the introduction of the Bill for this Act, was not reasonably necessary in the ordinary course of business of the company, they may give notice in writing to the company to that effect within three months after the appointed day:

Provided that, if the Water Board give any such notice, it shall be referred to the Court of Arbitration under this Act to determine whether or not the appointment, contract or alteration was reasonably necessary in the ordinary course of the business of the company, and that court shall determine whether and to what extent, as between the Water Board and the company, any liability

arising in respect thereto is to be transferred to the Water Board, or is to continue as a liability of the company.

(2) The accounts and balance sheet of each of the metropolitan water companies, up to the appointed day, shall be made up and audited in like manner and with the like incidents and consequences, as nearly as may be, as if this Act had not been passed, but as soon as practicable after the appointed day; and for that purpose the provisions of the Metropolis Water Act, 1871, relating to the auditor and the audit of the accounts of the companies, shall, notwithstanding any repeal by this Act, continue to apply; and the balance shown on the certified accounts, representing profits available for immediate distribution as dividend and legally distributable as such, shall, in the case of each of such companies, be thereupon paid over by the Water Board to that company; and the accounts and balance sheet of each such company, after the appointed day, shall be audited by auditors appointed by the company.

(3) In determining the compensation for the transfer of the undertaking of a company, the sum payable to the company under this section shall not be valued as forming part of the undertaking.

41.—(1) For the purpose of enabling the metropolitan water companies to prepare and conduct their cases for arbitration under this Act, and to enter into agreements with the Water Board, and to discharge their liabilities, and generally to carry on the business of the companies, and to wind up their affairs and dissolve the companies—

Provisions
for enabling
companies to
carry on the
business, &c.
after the
appointed day.

(a) Any such company may, after the appointed day, temporarily retain for their own use such money, offices, books, accounts and documents, and the services of such officers and servants, as may be agreed upon between the Water Board and the company or, failing agreement, be determined by the Local Government Board; and

(b) Any officer of, and any other person authorised in that behalf by, any such company shall have free access to all the works transferred to the Water Board from the company for the purpose of inspecting those works, and to all books, accounts and documents of the company in the possession of the Water Board, for the purpose of inspecting, copying and making extracts from the same, and shall have all proper facilities for the purposes aforesaid; and

(c) There shall be paid by the Water Board to each such company from time to time, on account of the sum ultimately found to be due to the company from the Board, such sums as may be agreed upon between the Board and the company or, failing agreement, as may be determined by the Local Government Board.

(2) It shall be at the option of the Local Government Board to determine any matter, which by this section they are authorised to determine, as arbitrators or otherwise, and, if they elect to determine the matter as arbitrators, the provisions of the Regu-

31 & 32 Vict.
c. 119.

of Trade; and the enactments amending those provisions, shall apply as if they were herein re-enacted and in terms made applicable to the Local Government Board and the determination of matters under this section.

Inspection of works, &c. of companies.

42. Any person authorised in that behalf by the Water Board shall have free access to the works of any metropolitan water company, for the purpose of inspecting those works, and to all books, accounts and documents in the possession of the company (other than documents prepared for the purpose of an agreement or arbitration under this Act), for the purpose of inspecting, copying and making extracts from the same, and shall have all proper facilities for the purposes aforesaid.

Payment of dividends to companies till discharge of compensation.

43.—(1) The Water Board shall, from and after the appointed day, pay by way of interest on purchase money to each metropolitan water company half-yearly, until the compensation under this Act is paid or satisfied to such company, a sum of money equal to the dividend on the ordinary and preference capital of the company, calculated on the average rate of dividend paid thereon respectively in respect of the two half years preceding the publication of the notice for the Bill for this Act, together with, in respect of the reasonable expectations of increasing dividends (if any), such additional sums (if any) as may be agreed on or, in default of agreement, as may be determined by arbitration under this Act; such sum shall and may be treated by the companies respectively as profits available for dividend between the shareholders, as if this Act had not been passed, and may be distributed or dealt with accordingly.

Provided that—

- (a) if the amount payable in any year under this section to any company exceeds the amount which, by reason of any limitation on the dividend of that company, would have been distributable as dividend if this Act had not been passed, the excess shall not be paid to the company; and
- (b) if any instalment of such compensation as aforesaid is, in pursuance of an interim award of the Court of Arbitration, paid or satisfied to the company, the sums payable under this section shall, as from the date of payment or satisfaction, be reduced by such an amount as may be specified in the interim award.

(2) The payments under this section shall, until the compensation as aforesaid under this Act is paid or satisfied, be payable by the Water Board at the dates on which the dividend on the ordinary and preference capital would have been distributable by the company.

Provided that if, on the date at which any such sum is payable to a company, it has not been determined whether any or what additional sum is payable to the company, the additional sum (if any) shall be paid as soon as the amount thereof has been so determined.

(3) In this section the expression "ordinary and preference capital" means, in the case of each company, all the capital of the company in stock or shares, whether ordinary or preference, as the case may be, existing on the appointed day, and includes also, in the case of the New River Company, the shares of all the shareholders of that company.

44.—(1) With a view to supply funds to the Water Board immediately on their entering on the undertakings of the metropolitan water companies, the Water Board may obtain advances of such sums of money as they may require for meeting their obligations and carrying on their business, provided that the total amount so obtained shall not exceed five hundred thousand pounds, or such larger sum as the Local Government Board may sanction; and the sum so advanced shall be charged on the water fund; but it shall be the duty of the Water Board to repay any advance obtained under this section within five years from the date of obtaining the advance, and all interest thereon. Temporary advances.

(2) The provisions of this Act as to borrowing and the repayment of money borrowed shall not apply to advances under this section.

45. Subject to the provisions of this Act, and without prejudice to any remedy over by the Water Board against any metropolitan water company— Pending proceedings and existing contracts

(a) if on the appointed day any proceeding or any cause of action is pending or existing by or against any metropolitan water company, the same shall not abate, be discontinued or be in any way prejudicially affected by reason of the transfer to the Water Board of the undertaking of the company or of anything in this Act, but the proceeding or cause of action may be continued, prosecuted and enforced by or against the Water Board, as it might have been by or against the company if this Act had not been passed, but not further or otherwise; and

(b) all contracts, deeds, bonds, agreements and other instruments subsisting immediately before the appointed day, and affecting any metropolitan water company, shall be of as full force and effect against or in favour of the Water Board, and may be enforced as fully and effectually as if, instead of the company, the Water Board had been a party thereto.

Provided that nothing in this section shall affect any proceeding, cause of action, contract, deed, bond, agreement or other instrument relating solely to any landed estate, houses or property of the New River Company, or any debts, liabilities or obligations of the company incurred solely in respect thereof, which, under the provisions of this Act, are not transferred to the Water Board.

46. All byelaws, rules, regulations and scales of water charges made or enforceable by any metropolitan water company shall, so far as they are consistent with the provisions of this Act, continue in force with respect to the undertaking to which they relate, until repealed, altered or superseded. Saving for existing byelaws, &c.

Existing
officers and
servants.

47.—(1) Subject to the provisions of this Act, every officer and servant of a metropolitan water company employed upon or in connexion with the undertaking immediately before the appointed day (in this Act referred to as “an existing officer” and “an existing servant”) shall, as from the appointed day, become an officer or servant of the Water Board, and shall hold his office or situation by the same tenure and upon like terms and conditions under the Water Board as he would have held the same under the company if this Act had not been passed, and, while performing the same duties, shall receive not less salary, wages or pay than he would have been entitled to if this Act had not been passed.

(2) Every existing officer and existing servant shall perform such duties in connexion with the water undertaking of the Water Board as they may be required to perform by the Board.

(3) The Water Board may abolish the office or situation of any existing officer or existing servant which they deem unnecessary, and any existing officer or existing servant required to perform duties such as are not analogous, or which are an unreasonable addition, to those which, as an officer or servant of the company, he was required to perform, may relinquish his office or service.

(4) Every existing officer or existing servant whose office is so abolished, or who so relinquishes his office or service as aforesaid, or who otherwise suffers any direct pecuniary loss in consequence of this Act, shall be entitled to be paid by the Water Board compensation for such pecuniary loss, regard being had to the conditions on which his appointment was made, the nature of his office or employment, the duration of his services, and any other circumstances affecting the case.

(5) Subject to the provisions of this section, the provisions contained in section one hundred and twenty of the Local Government Act, 1888, relating to compensation to existing officers, shall apply to any claim for compensation by an existing officer or an existing servant, with the substitution of references to the Water Board and water fund for references to the County Council and county fund.

(6) If, within a period of five years after the appointed day, the services of any existing officer or existing servant are dispensed with by the Water Board, because his services are not required, and not on account of misconduct or incapacity, or the salary of any such officer or servant is reduced on the ground that his duties have been diminished in consequence of the provisions of this Act, the officer or servant shall be deemed to have suffered direct pecuniary loss in consequence of this Act.

(7) Any person who, on the appointed day, is in receipt of a pension or other superannuation allowance from a metropolitan water company shall continue to receive from the Water Board the same pension or allowance, unless he is guilty of grave misconduct, and any question whether he has been guilty of such misconduct shall, in case of difference, be determined by the Local Government Board:

Provided that, if the Court of Arbitration, on the application of the Water Board, made within three months after the appointed

day, determine that a grant or increase of a pension or superannuation allowance made by a company after the date of the introduction of the Bill for this Act was not in accordance with the usual practice of the company with respect to granting and increasing pensions and allowances, the Water Board shall not be liable to pay the pension or allowance or increased pension or allowance to such extent as the court may determine.

(8) In computing the time of service of any existing officer or existing servant, for the purpose of determining the compensation to which he is entitled under this section, or of any annual allowance that may be awarded him by the Water Board under the provisions of the Superannuation (Metropolis) Act, 1866, as applied by this Act, the period during which he has been in the service of a metropolitan water company shall be included, and in the case of the following existing officers, viz., Isaac Adolphus Crookenden, the secretary, and William Booth Bryan, the engineer, of the East London Waterworks Company, Harry Wilkins, the secretary, and Thomas Farmer Parkes, the engineer, of the Company of Proprietors of Lambeth Waterworks, who were appointed to their office as specially qualified persons at an age exceeding that at which public service ordinarily begins, there shall be added to the number of years during which he has actually served such number of years, not exceeding twenty, as the Water Board or (on appeal) the Treasury may think just. Any such appeal to the Treasury shall be made within three months after the decision of the Water Board. The salary, compensation or annual allowance to which James William Restler, the engineer of the Southwark and Vauxhall Water Company, may become entitled under this Act, shall be calculated on the basis of the average amount received by him during the five years next before the passing of this Act by way of emoluments, salary and percentage on the cost of new works. The compensation or annual allowance to which Walter Hunter, the engineer of the Grand Junction Waterworks Company, may become entitled under this Act, shall be two thirds of the average amounts received by him for salary and emoluments during the five years next before the passing of this Act.

(9) If Sir William Crookes and Professor James Dewar, or either of them, are or is, immediately before the appointed day, employed in making examinations of, and experiments as to the condition of, water on behalf of the metropolitan water companies, they or he shall, as from that date, be transferred to the Water Board, and shall, for the purpose of compensation, be deemed existing officers or an existing officer within the meaning of this section.

(10) Every existing officer or existing servant not entitled to compensation under this section, who becomes incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or who has attained the age of sixty years, or who, having been in the service of a metropolitan water company for a period of not less than five years, is dismissed by the Water Board on any ground other than misconduct, shall, upon his resigning or otherwise ceasing to

hold office, be entitled to a superannuation allowance upon the terms and conditions and according to the scale specified in the Superannuation (Metropolis) Act, 1866, as applied by this Act.

Compensation to directors.

48.—(1) The Water Board shall pay to each of the metropolitan water companies, by way of compensation for the loss of office sustained by such of the directors of the company as were in office both at the date of the publication of the notice for the Bill for this Act and on the appointed day, such sum as may be agreed upon between the Water Board and the company, or, in default of agreement, as may be determined by an arbitrator appointed by the Local Government Board.

(2) The sum paid to any company under this section shall be distributed amongst the directors entitled to compensation in such proportions as those directors, or a majority of them, determine.

Compensation to auditor of companies accounts.

49. The Water Board shall pay to the auditor of the accounts of the metropolitan water companies such annual or other sum, by way of compensation for loss of office, as the Local Government Board may think just.

Transitory provisions as to supply in bulk.

50. Until the quantity of water to be supplied to the council of a borough or urban district which under this Act ceases to be within the limits of supply has been determined in accordance with the provisions of this Act, the Water Board shall supply to each council such quantity as the council may require, not exceeding three hundred and fifty gallons per diem for each supply within the borough or urban district, as ascertained from the register of supplies in existence at the appointed day; and the price to be paid for the water so supplied shall be a matter to be determined in accordance with the provisions of this Act relating to the price to be paid for water supplied in bulk to the council of a borough or district.

Power of Local Government Board to remove difficulties.

51.—(1) If any difficulty arises with respect to the establishment of the Water Board or to the appointment of the first members thereof or to the first meeting thereof, the Local Government Board may by order make any appointment or do anything which appears to them to be necessary or expedient for the proper establishment of the Water Board, and the proper holding of the first election and first meeting.

(2) Any such order may modify the provisions of this Act, so far as may appear to the Local Government Board necessary or expedient for carrying the order into effect.

Provisions as to stamp duty on transfer

52. Where the amount of the consideration for an undertaking transferred to the Water Board under this Act is not ascertained before the appointed day, the date of the final ascertainment of that amount shall, for the purposes of section twelve of the Finance Act, 1895 (which relates to stamp duty on property vested by Act of Parliament), be treated as the date of vesting.

Costs of Act.

53. All costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act, incurred by the Local Government Board, shall be repaid to that Board by the Water Board when established under this Act.

SCHEDULES.

FIRST SCHEDULE.

METROPOLITAN WATER COMPANIES.

The Governor and Company of the New River brought from Chadwell and Amwell to London, commonly called the New River Company.
 The East London Waterworks Company.
 The Southwark and Vauxhall Water Company.
 The Company of Proprietors of the West Middlesex Waterworks.
 The Company of Proprietors of Lambeth Waterworks.
 The Governor and Company of Chelsea Waterworks.
 The Grand Junction Waterworks Company.
 The Company of Proprietors of the Kent Waterworks.
 The Staines Reservoirs Joint Committee.

SECOND SCHEDULE.

DESCRIPTION OF THE LIMITS OF SUPPLY.

The parishes and places in which at the appointed day any of the metropolitan water companies are authorised to supply water, and the parishes of Sunbury and Chessington.

THIRD SCHEDULE.

CONSTITUTION AND PROCEEDINGS OF WATER BOARD.

1. The chairman or vice-chairman need not be appointed from amongst the members of the Water Board, but, if a member of the Board is appointed chairman or vice-chairman, the appointment shall not create a casual vacancy.

2. A person shall be disqualified for being appointed or being a member of the Water Board if he—

(a) holds any paid office under the Water Board save as permitted by this Act; or

(b) is concerned in any bargain or contract entered into with the Water Board, or participates in the profit of any such bargain or contract or of any work done under the authority of the Board:

Provided that a person shall not be disqualified for being appointed or being a member of the Board by reason of being interested—

(a) in the sale or lease of any lands or in any loan of money to the Board, or in any contract with the Board for the supply, from land of which he is owner or occupier, of water, or materials for work done by, or under the authority of, the Board; or

(b) in any newspaper in which any advertisement relating to the affairs of the Board is inserted; or

(c) in any bargain or contract with the Board as a shareholder in any company; but he shall not vote at any meeting of the Board on any question in which such company are interested.

3. A director of a metropolitan water company shall, until the compensation payable to the company is determined, be disqualified from being appointed or being a member of the Water Board.

4. If a person appointed to be a member of the Water Board is a member of the Council or one of the Councils by whom he is appointed, he shall, if he ceases for two months to be a member of that Council, at the end of that period vacate his office as member of the Water Board.

5. The member appointed by the Conservators of the River Thames shall be a Conservator appointed by the county councils of Gloucestershire

and Wiltshire, or by the county councils of Oxfordshire, Berkshire or Buckinghamshire, or by the council of the county borough of Oxford or Reading.

6. The members of the Water Board appointed by the Conservators of the River Thames and the Lee Conservancy Board shall not vote or act in respect of any question arising before the Water Board as regards the transfer of any undertaking to the Water Board under this Act.

7. A person shall be disqualified for being a member of the Board if he is convicted, either on indictment or summarily, of any crime, and sentenced to imprisonment with hard labour without the option of a fine, or to any greater punishment, or is adjudged bankrupt, or makes a composition or arrangement with his creditors.

8. A member appointed by a constituent authority consisting of a group of councils shall be appointed by those councils acting through a joint committee.

9. Subject to any variation of representation according to the provisions of this Act, the joint committees for appointing members of the Water Board shall be constituted as follows:—

- (i) The joint committee of the councils of the urban districts of Buckhurst Hill, Chingford, Loughton, Waltham Holy Cross, Wanstead and Woodford shall consist of twelve members, of whom one shall be appointed by each of the councils of the urban districts of Buckhurst Hill, Chingford and Loughton, two by the council of the urban district of Waltham Holy Cross, three by the council of the urban district of Wanstead and four by the council of the urban district of Woodford.
- (ii) The joint committee of the councils of the urban districts of Beckenham, Bromley, Chislehurst, Penge, Bexley, Dartford, Erith and Footscray shall consist of twenty members, of whom four shall be appointed by each of the councils of the urban districts of Beckenham and Bromley, three by each of the councils of the urban districts of Erith and Penge, two by each of the councils of the urban districts of Bexley and Dartford and one by each of the councils of the urban districts of Chislehurst and Footscray.
- (iii) The joint committee of the councils of the borough of Ealing and of the urban districts of Acton and Chiswick shall consist of eight members, of whom three shall be appointed by the council of the borough of Ealing, three by the council of the urban district of Acton and two by the council of the urban district of Chiswick.
- (iv) The joint committee of the councils of the urban districts of Brentford, Hampton, Hampton Wick, Hanwell, Heston and Isleworth, Sunbury, Teddington and Twickenham shall consist of twenty-one members, of whom one shall be appointed by each of the councils of the urban districts of Hampton Wick and Sunbury, two by each of the councils of the urban districts of Hampton and Hanwell, three by each of the councils of the urban districts of Brentford and Teddington, four by the council of the urban district of Twickenham and five by the council of the urban district of Heston and Isleworth.
- (v) The joint committee of the councils of the urban districts of Edmonton, Enfield and Southgate shall consist of five members, of whom two shall be appointed by each of the councils of the urban districts of Edmonton and Enfield and one by the council of the urban district of Southgate.
- (vi) The joint committee of the councils of the urban districts of Hornsey and Wood Green shall consist of seven members, of whom five shall be appointed by the council of the urban district of Hornsey and two by the council of the urban district of Wood Green.

(vii) The joint committee of the councils of the borough of Kingston and the urban districts of East and West Molesey, Esher and the Dittons, Ham, Surbiton, Barnes, the Maldens and Coombe and Wimbledon shall consist of thirty-three members, of whom seven shall be appointed by the council of the borough of Kingston, ten by the council of the urban district of Wimbledon, four by each of the councils of the urban districts of Barnes and Surbiton, three by the council of the urban district of Esher and the Dittons, two by each of the councils of the urban districts of East and West Molesey and the Maldens and Coombe and one by the council of the urban district of Ham.

10. A joint committee may act notwithstanding any vacancy in the committee and notwithstanding that a council is wholly unrepresented thereon.

11. The Local Government Board may make regulations as to the constitution, term of office, quorum, proceedings, officers and place of meeting of a joint committee.

12. Subject to the provisions of this schedule, the term of office of chairman and of vice-chairman shall be three years and the term of office of a member of the Board shall be three years.

13. On the first day of June one thousand nine hundred and seven and on the first day of June in every third year thereafter, all the members of the Board shall go out of office, and their places shall be filled by new appointments, to be made at such time as may be prescribed by regulations made by the Local Government Board; but a person going out of office may, if otherwise qualified, be re-appointed.

14. The first business at the first meeting of the Water Board after the first day of June one thousand nine hundred and seven, and at the first meeting after the first day of June in every third year thereafter, shall be the new appointment of a chairman and vice-chairman; but a person going out of office may, if otherwise qualified, be re-appointed, and a chairman or vice-chairman shall continue in office until his successor is appointed.

15. If a member of the Water Board is absent from meetings of the Board for more than six months consecutively, except for some reason approved by the Water Board, he shall, on the expiration of those months, vacate his office and shall also, if he is the chairman or vice-chairman, vacate his office as chairman or vice-chairman.

16. Where the chairman or vice-chairman or a member of the Water Board becomes disqualified for holding office or vacates his office from absence, or otherwise, the Board shall forthwith declare the office to be vacant and shall notify the fact in such manner as they think fit, and thereupon the office shall become vacant.

17. On a casual vacancy occurring in the Water Board by reason of the death, resignation, disqualification or absence of a member, or otherwise, the constituent authority by whom that member was appointed shall appoint another person in his place; and the person so appointed shall hold office until the time when the person in whose place he is appointed would have regularly gone out of office, and shall then go out of office.

18. On a vacancy occurring or being about to occur in the Water Board, the clerk of the Water Board shall immediately give notice of the vacancy to the constituent authority by which the vacancy is to be filled and, on a person being appointed a member of the Water Board, the appointing authority shall forthwith give notice of the appointment to the Water Board or, in the case of a first appointment, to the Local Government Board.

19. On a casual vacancy occurring in the office of chairman or vice-chairman of the Water Board by reason of the death, resignation, disqualification or absence of the chairman or vice-chairman, or otherwise, the person appointed in his place shall hold office until the time when the

person in whose place he is appointed would regularly have gone out of office, and shall then go out of office.

20. At every meeting of the Water Board the chairman, if present, shall preside. If the chairman is absent, the vice-chairman, if present, shall preside. If both the chairman and vice-chairman are absent, such member of the Board as the members then present choose shall preside.

21. Subject to the provisions of this Act, every question at a meeting of the Water Board shall be decided by a majority of votes of the members present and voting on that question, and, in the case of equality of votes, the person presiding at the meeting shall have a second or casting vote.

22. The quorum of the Water Board shall be one-third of the whole number of the Board.

23. The Water Board may appoint, out of their own body, such and so many committees, either of a general or special nature, and consisting of such number of persons as they think fit, for any purposes which, in the opinion of the Board, would be better regulated and managed by means of committees, and may delegate, with or without any restrictions or conditions, as they may think fit, any of their powers or duties, except any power of raising money, to any committee of the Board so appointed, and the provisions of section eighty-two of the Local Government Act, 1888, with respect to proceedings of committees of county councils, shall apply to committees of the Water Board, as if they were committees of a county council.

24. A minute of the proceedings of the Water Board, or of a committee thereof, signed at the same or the next ensuing meeting by a member of the Board describing himself as, or appearing to be, chairman of the meeting at which the minute is signed, shall be received in evidence without further proof.

25. Until the contrary is proved, every meeting, in respect of the proceedings whereof a minute has been so made, shall be deemed to have been duly convened and held, and all the members of the meeting shall be deemed to have been duly qualified; and, where the proceedings are proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matter referred to in the minutes.

26. Subject to the provisions of this Act, the Water Board may regulate their own procedure.

27. No act or proceeding of the Water Board shall be questioned on account of any vacancy in their body or on account of the appointment of any member having been defective.

28. The Local Government Board shall take such steps as may be necessary for constituting the Water Board as soon as may be after the passing of this Act, and for summoning the first meeting of the Water Board and regulating the proceedings thereat, and all authorities and persons shall comply with any instructions issued by the Local Government Board for that purpose, and any expenses incurred by the Local Government Board for the purpose aforesaid shall be repaid to that Board by the Water Board when established.

FOURTH SCHEDULE.

1. Within three months after the ascertainment of any compensation to which a metropolitan water company become entitled under this Act, in consideration for the transfer of their undertaking, the directors of the company shall prepare a scheme for the application and distribution thereof. Any such scheme shall provide for the payment and discharge of any liability which, under this Act, is to continue as a liability of the company, or is not otherwise provided for, and may provide for payment of any sum in consideration of loss of office or in recognition of any

special services rendered to the company. The directors shall send by post a copy of the scheme to each shareholder (which term also includes a stockholder or proprietor) of the company, and, for the purposes of this section, the persons appearing as shareholders in the books of the company shall be deemed to be shareholders and of the class there appearing, and any document shall be sufficiently sent to any shareholder by being posted to him at his address as appearing in the books of the company.

If, within one month after the sending of the copies aforesaid, any shareholder or shareholders, the aggregate nominal value of whose shares (which term also includes stock) is not less than twenty thousand pounds, shall, by writing addressed to the secretary of the company, require that the scheme be submitted to a meeting of the shareholders, or (if there are more than one class of shareholders of the company) of the class to which such shareholder or shareholders belong, the directors shall forthwith summon such meeting accordingly, by giving not less than fourteen days' notice thereof by post to each shareholder of the company, or to each shareholder of the class concerned, as the case may be. If a majority in value of the shareholders, or of the shareholders of a particular class, as the case may be, by resolution passed at such meeting, dissent from such scheme, the directors shall forthwith submit the matter by petition to the Chancery Division of the High Court, and the court shall, after hearing all proper parties, make such order as to the application and distribution of the compensation to which the company are entitled under this Act as, under all the circumstances of the case, and having regard to the various interests of the parties and the nature of such interest, may be considered just and equitable. Any scheme not required to be submitted to a meeting of shareholders, or as to which no such resolution of dissent as aforesaid shall have been passed, and any order of court made hereunder, shall have effect as if the same were enacted by this Act, and shall be binding upon all persons affected thereby.

2. If any part of the compensation is to be discharged to a company in water stock, the Water Board shall, if so required by the company, before the stock is issued to the company, instead of issuing to the company the whole of the water stock to be so issued to them, issue the water stock to such amounts and to such persons as the company may require; and the issue of water stock in accordance with such requirements shall, to that extent, discharge the Water Board of their liability to issue water stock to the company.

If any part of such compensation is to be discharged in cash, the receipt in writing of three directors of the company for any sum in gross to be paid by the Water Board to the Company shall effectually discharge the Water Board from the sum expressed in such receipt to have been received and from being concerned to see to the application thereof and from being answerable or accountable for the loss, misapplication or non-application thereof.

3. Where any company are unable, after diligent inquiry, to find the person to whom any money is payable or water stock is issuable, or where any money or stock is payable or issuable to a person who or whose committee cannot give an effectual receipt for the same, such company may pay or transfer the same as nearly as may be in manner provided for payment of money into court by any Act for the time being in force for the relief of trustees, and such Act shall apply, with all necessary modifications, to such money or stock.

4. When such scheme has been completely carried out, and all such moneys or stock, if any, as in clause 3 of this schedule referred to, have been paid or transferred into court, the company may apply to the Board of Trade, which, if satisfied that the said time has arrived, shall give a certificate to that effect and, upon publication of such certificate in the London Gazette, the company shall be dissolved.

FIFTH SCHEDULE.
ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
15 & 16 Vict. c. 84.	The Metropolis Water Act, 1852.	Sections fifteen, nineteen, twenty, twenty-one, twenty-two and twenty-seven, so far as unrepealed.
34 & 35 Vict. c. 113.	The Metropolis Water Act, 1871.	Sections thirty-seven to forty-two and section forty-seven from "or to authorise" to the end of the section.
47 & 48 Vict. c. cxli.	Croydon Corporation Act, 1884.	Sections eleven and twelve.

