



CHAPTER lxii.

An Act to empower the Bognor Gas Light and Coke Company to supply electricity to and within their statutory gas limits and for other purposes. A.D. 1912.

[7th August 1912.]

WHEREAS by the Bognor Gas Light and Coke Company Act 1908 (hereinafter referred to as "the Act of 1908", the Bognor Gas Light and Coke Company Limited who had since 1865 been carrying on under the authority of Provisional Orders confirmed by Parliament in 1871 1878 1895 and 1904 the business of a gas company was dissolved and reincorporated by the name of the Bognor Gas Light and Coke Company (hereinafter called "the Company"):

And whereas by the Act of 1908 the limits of the Company for the supply of gas comprised the town and urban district of Bognor and the parishes and places of Bersted Felpham Pagham Aldingbourne Eastergate Barnham and Yapton within the rural district of West Hampnett all in the county of Sussex:

And whereas by the Act of 1908 the share capital of the original limited company was consolidated with power to the Company to issue same to the shareholders of the limited company as consolidated stock to the amount of seventy-four thousand seven hundred pounds with power to the Company to raise additional capital by the issue of similar consolidated stock to the amount of thirty-six thousand pounds for the extension and improvement of the then existing gasworks and to meet the demands for gas in the Company's district of supply as prescribed by that Act:

And whereas the Company are supplying gas to the whole of the town and urban district of Bognor and to the other

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A.D. 1912. parishes within their statutory district at a reasonable rate to the consumers and the Company can utilise their present lands and machinery and works to a great extent for generating electricity and it is expedient that the Company be empowered to supply electricity for public and private purposes to and within the whole of their statutory gas limits as defined by the Act of 1908:

And whereas it is expedient that the Company shall be empowered to raise additional capital for the purposes of this Act and that such other powers as are contained in this Act be conferred upon the Company:

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

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

Short title.

1. This Act may be cited as the Bognor Gas Light and Coke Company (Electricity) Act 1912.

Application of Electric Lighting Acts.

2. This Act shall be deemed to be a special Act within the meaning of the Electric Lighting Acts 1882 to 1909 and the Electric Lighting (Clauses) Act 1899 so far as the provisions of those Acts and the schedules thereto are applicable to or incorporated by this Act (which Acts and the schedules thereto are hereinafter referred to as "the principal Acts").

Incorporation of general Acts.

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

The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts;

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The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement); and A.D. 1912.

The provisions of the schedule to the Electric Lighting (Clauses) Act 1899 except sections 5 and 23 thereof.

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

The expression "the Company" means the Bognor Gas Light and Coke Company incorporated by the Act of 1908;

The expression "the Act of 1908" means the Bognor Gas Light and Coke Company Act 1908;

The expression "the gas undertaking" means the gasworks and works connected therewith vested in the Company by the Act of 1908 and authorised to be continued and maintained by the Company and any improvement and extension thereof which they may make or construct under the powers of the Act of 1908 and the lands buildings estate right title property and privileges and effects and the undertaking of the Company for the supply of gas as authorised by the Act of 1908;

The expression "the electricity undertaking" means the undertaking of the Company for the supply of electricity as authorised by this Act; and

The expression "the undertaking" includes the gas undertaking as well as the electricity undertaking by this Act authorised.

SUPPLY OF ELECTRICITY &c.

5. The area within which the Company may supply electricity under this Act (in this Act called "the area of supply") shall be the limits for the supply of gas as defined by the Act of 1908 (viz.) The town and urban district of Bognor and the parishes and places of Bersted Felpham Pagham Aldingbourne Eastergate Barnham and Yapton within the rural district of West Hampnett all in the county of Sussex and such Area for supply of electricity.

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Power to appropriate lands and erect generating stations.

6.—(1) The Company may appropriate and use for the purposes of the electricity undertaking the land belonging to and vested in the Company by virtue of the Act of 1908 and described in the First Schedule to this Act and may thereon erect maintain work and use a station or stations for producing and generating transforming storing and distributing electricity with all such buildings engines batteries dynamos accumulators and other plant machinery apparatus works and conveniences as may be necessary or suitable for those purposes and may produce generate transform store use and supply such electricity accordingly.

(2) The Company may appropriate and use for the said purposes any other lands vested in them by virtue of the Act of 1908 or any lands to be acquired by them under this Act but they shall not use any such lands for the purpose of constructing a generating station except with the consent of the Board of Trade and the Board of Trade shall not in any case give such consent except subject to and in accordance with the provisions of section 2 of the Electric Lighting Act 1909.

Power to supply engines motors fittings &c.

7. The Company may purchase provide supply sell and let on hire and may fix set up alter repair and remove but shall not manufacture engines machines motors accumulators cables conductors services wires tubes pipes insulators distributing cut-out and other boxes switches transformers lamps meters fittings and other apparatus and appliances used for or in connection with the production transmission storage transformation measuring regulating distributing and use of electricity for lighting and other purposes whether public or private or for converting the same into motive power heat or otherwise and may provide all materials and do all work necessary or proper in that behalf and may demand take and recover such remuneration in money or such rents and charges for and may make such terms and conditions with respect to the supply sale letting fixing setting up altering repairing and removing of such articles and things as aforesaid and for securing (both as regards the consumer and third parties) their safety and return to the Company as may

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be agreed on between the Company and the person to or for whom the same are sold supplied let on hire fixed or set up as aforesaid. A.D. 1912.

8. Subject to the provisions of the principal Acts the Company may break up for the purposes of the electricity undertaking the following streets not repairable by the local authority and railways (that is to say):— Power to break up streets not repairable by local authority.

(A) Streets Annandale Avenue Burnham Avenue Elfin Grove Elm Grove Gainsborough Road Goodman Drive Glencathara Road Green Lane Henry Street Highfield Road (South) Hooks Lane Longford Road Nelson Road Neville Road Norfolk Square Nyewood Lane Richmond Road Southover Road Spencer Street Stocker Road Sturgess Road Sylvan Way Tennyson Road Victoria Lane:

(B) Railways The Chichester Road level crossing on the Bognor Branch of the London Brighton and South Coast Railway the Woodgate level crossing on the Brighton and Portsmouth or West Coast line of the London Brighton and South Coast Railway.

9.--(1) The Company shall within a period of two years after the passing of this Act lay down suitable and sufficient distributing mains for the purposes of a general supply throughout every street or part of a street mentioned in the Second Schedule to this Act. Mains &c. to be laid down.

(2) If at the expiration of five years after the passing of this Act the Company shall not have laid down distributing mains for the purposes of a general supply in the parishes and places within the rural district of West Hampnett included in the area of supply the Board of Trade may if they think fit order that the powers of the Company under this Act shall cease as to all or any of the said parishes or places where such mains shall not have been laid down and on any such order being made those powers shall cease accordingly.

10. The maximum prices to be charged by the Company for electricity supplied by them except to public lamps shall subject to alteration as in the schedule to the Electric Lighting (Clauses) Act 1899 provided be that stated in that behalf in the Third Schedule to this Act Provided that the price to be Maximum prices.

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ADDITIONAL CAPITAL.

Power to Company to raise additional capital.

11. The Company may from time to time raise additional capital not exceeding in the whole thirty thousand pounds by the creation and issue of new consolidated stock or new preference stock or wholly or partially by one or more of those modes respectively. Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of additional capital than shall be sufficient to produce including any premium which may be obtained on the sale thereof the sum of thirty thousand pounds. Provided also that the Company shall not raise by the issue of preference stock a greater amount of such additional capital than fifteen thousand pounds.

Application of sections of Act of 1908 as to auction.

12. Sections 32 and 38 of the Act of 1908 shall mutatis mutandis extend and apply to the capital by this Act authorised to be raised.

New stock to form part of capital of Company.

13. The capital in new consolidated stock so created shall form part of the capital of the Company.

Restriction as to votes in respect of preferential stock.

14. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new consolidated stock to which a preferential dividend shall be assigned.

Dividends on new stock.

15. Every person who becomes entitled to new consolidated stock in the additional capital created by the Company under this Act shall be entitled to a dividend with the other holders of the existing consolidated stock proportioned to the whole amount of such existing consolidated stock.

Profits of Company on additional capital limited.

16. The Company shall not in any year pay out of their profits any larger dividend on the additional capital to be raised under the powers of this Act than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as new consolidated stock and six pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as new preference consolidated stock.

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17. In addition to any sums which the Company are by the Act of 1908 authorised to borrow they may subject to the provisions of this Act borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one-third part of the amount of the additional capital which at the time of borrowing has been raised under the powers of this Act but no sum shall be borrowed in respect of any capital so raised until the Company have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock at the time issued together with the premium (if any) realised on the sale thereof has been fully paid up.

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Power to borrow.

18. If within a period of two years after the passing of this Act or such extended period as the Board of Trade may prescribe under the section of this Act whereof the marginal note is "Mains &c. to be laid down" the Company shall have failed bonâ fide to commence to exercise the powers of this Act with reference to the supply of electricity the additional capital which the Company are by this Act authorised to raise shall be reduced from the sum of thirty thousand pounds to the sum of twelve thousand pounds and until the Company so commence to exercise the said powers they shall not create or issue any greater amount than twelve thousand pounds of the said additional capital.

Reduction of capital if electricity powers not exercised.

19. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three thousand pounds in the whole. Section 36 of the Act of 1908 as to the appointment of a receiver is hereby repealed as to the electricity undertaking of the Company but without prejudice to any appointment heretofore made or to the continuance of any proceedings which may have been commenced under any such provision previous to the passing of this Act or to any rights of existing mortgages of the Company at the date of the passing of this Act.

For appointment of receiver.

20. All money to be borrowed by the Company on mortgage or debenture stock under this Act shall have priority against the Company and the property from time to time of the

Mortgages to have priority over other debts.

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Existing mortgages to have priority.

21. All mortgages granted by the Company under the powers of the Act of 1908 before the passing of this Act and subsisting at the passing of this Act shall during the continuance of such mortgages and subject to the provisions of the Act of 1908 have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Debenture stock.

22. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 37 of the Act of 1908.

Power to create a special purposes fund.

23.—(1) The directors of the Company may if they think fit in any year appropriate out of the revenue of the Company arising respectively from the gas undertaking or the electricity undertaking and as part of the expenditure on revenue account of such undertakings respectively any sum not exceeding an amount equal to one per centum of the paid-up capital of the Company including premiums to a fund to be called “the special purposes fund.”

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

(A) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or

(B) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works.

(3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth part of the paid-up capital of the Company including premiums. A.D. 1912.

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

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

(6) The money or securities standing to the credit of the existing special purposes fund of the Company at the passing of this Act shall be credited to the special purposes fund and section 29 of the Act of 1908 is hereby repealed.

MISCELLANEOUS.

24. Separate capital and revenue accounts shall be kept of the gas undertaking and the electricity undertaking. Separate accounts of gas and electricity undertakings.

The gas undertaking and the electricity undertaking respectively shall be duly accredited and debited with the receipts and payments exclusively attributable thereto.

The Company shall out of the capital moneys raised under this Act carry to the credit of the capital account of the gas undertaking the value of all land acquired for the purposes of that undertaking and used for the purposes of the electricity undertaking.

The expenses of direction and management and any expenses common to both the gas undertaking and the electricity undertaking shall be from time to time apportioned between them as nearly as conveniently practicable in proportion to the amount of capital for the time being expended on the gas undertaking and the electricity undertaking respectively.

25. As regards the electricity undertaking the following further provisions shall have effect (that is to say):— Further provisions as to electricity undertaking.

Whenever in any year it is shown by the separate accounts by this Act directed to be kept that the receipts on the

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revenue account of the electricity undertaking exceed the sum total of the expenditure on such account (including any payments to the special purposes fund by this Act authorised to be established) and of a sum equal to seven per centum on the aggregate amount of the capital moneys employed in such undertaking the Company shall make such a rateable reduction in the charge for the supply of electrical energy as in their judgment will reduce the surplus to that maximum rate of profit.

Power to purchase lands by agreement.

26. The Company may for the purposes of the electricity undertaking purchase and take (by agreement but not otherwise) and may hold in addition to the other lands which they are by this Act authorised to hold any lands and hereditaments not exceeding in the whole two acres which they may require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products and generating electricity except the lands authorised to be so used by this or any other Act or Order affecting the undertaking.

Power to sell and lease lands.

27. Subject to the provisions of the Lands Clauses Consolidation Act 1845 the Company may sell or let on lease for such periods as they think fit any lands or property for the time being belonging to them and which may not at the time be required for the purposes of their gas or electricity undertakings and may retain and hold sell and dispose of any interest in or reversion to any lands or property so let and any such sale disposal or lease may be for such consideration and subject to such reservations restrictions and provisions and generally upon such terms and conditions as the Company think fit.

Power to lay pipes in streets or roads not dedicated to public use.

28. The Company may on the application of the owner or occupier of any premises abutting on or being erected in any street or road laid out but not dedicated to public use where such premises are within the limits of supply or within the area of supply respectively lay down take up alter relay repair or renew in across or along or out of such street or road such mains cables wires pipes and apparatus as may be requisite or proper for the supply of electricity to such premises as aforesaid and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying

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pipes and the provisions of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they are applicable shall extend and apply mutatis mutandis to the exercise of the powers of this section in regard to the supply of electricity. A.D. 1912.

29. A notice to the Company from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Company. Notice to discontinue supply of electricity.

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

31. Where the payment of more than one sum by any person is due under this Act any summons or warrant issued for the purposes of this Act in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him. Several sums in one summons.

32. Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative and for such purpose this Act and the Acts incorporated herewith shall be deemed several Acts. Penalties not cumulative.

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Recovery of penalties &c.

33. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner. Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

34. Proceedings for the recovery of any demand made under the authority of this Act or the Act of 1908 or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Company may apply for Provisional Orders.

35. The Company may apply for Provisional Orders under the Electric Lighting Acts 1882 to 1909.

For protection of London Brighton and South Coast Railway Company.

36. For the protection of the London Brighton and South Coast Railway Company (in this section referred to as "the Brighton Company") the following provisions in addition to any other provisions for their protection or for the protection of their railways works and property contained in the Acts incorporated with this Act shall apply:—

- (1) All works executed in pursuance of this Act or of any Act incorporated therewith involving interference with or in any way affecting the railways works and property of the Brighton Company or any level crossings over such railways (in this section together referred to as "the railways of the Brighton Company") and all works of maintenance repair renewal alteration or removal involving such interference or affection (the said works executed in pursuance of this Act or of any Act incorporated therewith and the said works of maintenance repair renewal alteration or removal being hereinafter referred to as "the said works") shall be constructed executed and done at such times and in such manner as the engineer of the Brighton Company may direct and to his reasonable satisfaction and so as to cause as little injury as may be to the railways of the Brighton Company and so as

under no circumstances to cause any interruption to the passage or conduct of traffic upon or over the railways of the Brighton Company : A.D. 1912.

- (2) If any injury or interruption as aforesaid shall arise from or in any way be attributable to the said works or to any operations and matters incidental thereto or to any default of the Company or their contractors servants or agents or to the carrying on of the business of the Company or if any injury shall be caused to any person lawfully using the railways of the Brighton Company by or by reason of the said works or of any of the operations and matters aforesaid or by reason of the working or failure of any of the electric lines cables wires mains apparatus or other works of the Company or by reason of any such default the Company shall make compensation to the Brighton Company the amount of such compensation if not otherwise agreed upon to be determined by arbitration in the manner hereinafter provided :
- (3) If the Brighton Company at any time or times hereafter require (of which they shall be the sole judges) to widen alter reconstruct repair or maintain or to construct any additional or other works in or upon or in connection with the railways of the Brighton Company upon across over or under which any electric lines cables wires mains apparatus or other works of the Company may have been constructed or laid or to adapt their railways or any part or parts of them for working by electrical power or if at any time or times hereafter a bridge is constructed in substitution for a level crossing upon across over or under which any electric cables lines wires mains apparatus or other works of the Company may have been constructed or laid the Brighton Company may on giving to the Company fourteen days' notice in writing under the hand of their secretary or general manager and in case of emergency (of which the engineer of the Brighton Company shall be the sole judge) by giving three days' previous notice divert alter support or carry the said electric lines cables

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wires mains apparatus or other works of the Company across over or under the railways of the Brighton Company at any point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be without being liable to pay compensation in respect of such diversion alteration supporting carrying or dealing with such electric lines cables wires mains apparatus or other works Provided that such diversion alteration supporting carrying or dealing therewith shall be done without interfering with the electrical supply of the Company more than may be reasonably necessary :

- (4) Any additional expense which the Brighton Company may reasonably and properly incur in widening altering reconstructing repairing or maintaining the railways of the Brighton Company or in otherwise dealing with their lands and property or in adapting their railways for working by electrical power by reason of the existence of any electric lines cables wires mains apparatus or other works of the Company upon across over or under the same shall be paid by the Company :
- (5) If at any point where the electric lines cables wires mains apparatus or other works of the Company will be laid or constructed over under or alongside the railways of the Brighton Company it becomes necessary that the electric telegraphic telephonic or signalling wires or apparatus of the Brighton Company should be put in cables or otherwise altered the Brighton Company may execute any works reasonably necessary for any such purposes and the reasonable expense of executing such works shall be repaid to the Brighton Company by the Company :
- (6) The Company shall bear and on demand pay to the Brighton Company all reasonable costs of the superintendence by them of the said works and all reasonable costs of watching lighting and protection of the railways of the Brighton Company with reference to and during the construction of the said works but such superintendence watching [lighting

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and protection shall not relieve the Company from liability for any accident or damage which may be occasioned to the railways of the Brighton Company by or through the said works or by the contractors agents and workmen of the Company : A.D. 1912.

- (7) Any dispute or difference which may arise between the Brighton Company and the Company with reference to any of the provisions of this section or in any way arising thereout shall unless otherwise agreed be settled by an arbitrator to be appointed by the Board of Trade on the application of either the Brighton Company or the Company or both of them.

37. For the protection of the Bognor Water Company (in this section called "the water company") the following provisions shall unless otherwise agreed between the water company and the Company have effect (that is to say) :— For protection of Bognor Water Company.

Whereas under the provisions of section 2 of the Electric Lighting Act 1888 any local authority within whose jurisdiction the area of supply or any part thereof is situated is empowered after the expiration of a period of forty-two years from the date of the passing of this Act to purchase the electricity undertaking In the event of any such local authority exercising the said powers of purchase the following provisions or any statutory extension or modification thereof shall apply (that is to say) :—

- (1) The local authority shall so soon as the annual statement of the accounts of the undertaking under this Act has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the district of such local authority a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the local authority at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882 :

- (2) The local authority shall on the expiration of the fifth complete financial year after they have commenced

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to supply electrical energy under this Act and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Act so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years Provided nevertheless that—

(A) The prices to be charged shall not exceed the maximum prices which may be charged under this Act;

(B) The scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the local authority:

(3) Nothing in this section contained shall prevent the local authority from entering into contracts for periods which may extend beyond the periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—

(A) Be subject to revision at the next triennial revision provided for in this section; or

(B) Vary in the same proportion as the prices charged to ordinary consumers:

Provided that the local authority shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract:

(4) There shall not be made against the district rate or any other rate for energy used by the local authority for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.

For protec-
tion of West
Sussex
County
Council.

38. For the protection of the county council of West Sussex (in this section called "the county council") the following provisions shall except so far as may be otherwise agreed

between the Company and the county council apply and have effect (that is to say):— A.D. 1912.

(1) Nothing in this Act shall in any way limit or affect the powers of the county council to rebuild alter widen or repair the structure of any bridge upon which any work by this Act authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the passing of this Act:

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the electricity undertaking they shall prior to the commencement of such works give the Company one month's notice under the hand of their clerk or surveyor (except in cases of serious emergency which in the opinion of the county surveyor renders it necessary that such work should be begun immediately when the county council shall give as long notice as possible) of their intention to carry out such works and if in order to carry out such works or to avoid interruption to the supply by the Company of electrical energy it is in the opinion of the county surveyor necessary to temporarily remove the mains conduits or other apparatus belonging to the Company from such bridge then the Company shall forthwith on being required by the county council so to do and the Company are hereby authorised at their own expense to temporarily carry their mains and conduits across such bridge overhead or at the side thereof in such manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council:

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Company shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out and shall take down and remove any mains or conduits which may be overhead on such bridge or at the side thereof:

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(4) If any dispute shall arise between the county council and the Company with regard to this section such dispute shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

Agreements
for supply of
electrical
energy.

39. The Company may enter into and carry into effect agreements with any local authority company body or person authorised by Act of Parliament or Order confirmed by Parliament to produce or supply energy for the supply of energy in bulk to or by the Company by or to such local authority company body or person but nothing in this section shall authorise the Company to lay electric lines beyond their area of supply.

Costs of Act.

40. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be charged against revenue.

The SCHEDULES referred to in the foregoing Act. A.D. 1912.

FIRST SCHEDULE.

LANDS FOR GENERATING STATIONS.

No. 1 All that piece or parcel of land containing by admeasurement two roods fourteen perches or thereabouts belonging to and in possession of the Company situate in the parish of Bognor in the county of Sussex on the north side of the Company's gas lands No. 2 hereafter described bounded on the north by the houses in Gainsborough Road on the east in part by the houses in Ockley Road and the approach thereto and in part by land formerly belonging to the late Charles Thomas Marshall on the south by the land No. 2 hereafter described and on the west by lands belonging to the late Alfred Hays.

No. 2 Land occupied by the Company's gasworks and other apparatus and buildings and land used in connection therewith containing by admeasurement one acre one rood or thereabouts situate in the parish of Bognor in the urban district of Bognor in the county of Sussex bounded on the north by the boundary line separating the tithing of Bognor from the ecclesiastical parish of South Bersted on the east in part by the road formerly known as Circus Road but now called Ockley Road and in other part by the road now known as Argyle Road which formerly was a private road on the south in part by the approach road to the gasworks and nurseries and in other part by the nurseries belonging to the late Alfred Hays and on the west by nurseries belonging to the late Alfred Hays.

No. 3 All that piece or parcel of land belonging to and in the possession of the Company situate in the parish of Bersted in the rural district of West Hampnett in the county of Sussex containing by admeasurement five acres three roods thirty-nine perches or thereabouts being part of the field or enclosure numbered 144 on the Ordnance Survey map (second edition 1898) for the said parish of Bersted bounded on the north-west by the public road known as Shripney Road on the south-west by the Aldingbourne Rife on the south-east by the London Brighton and South Coast Railway and on the north-east by land belonging or reputed to belong to Carolus and Horace Munday.

[Ch. lxii.] *Bognor Gas Light and Coke Company* [2 & 3 GEO. 5.]
(*Electricity*) Act, 1912.

A.D. 1912.

SECOND SCHEDULE.

LIST OF STREETS throughout which the Company are to lay down reasonably suitable and sufficient distributing mains for the purposes of general electric supply within the period specified in this Act:—

Linden Road Victoria Drive (North) (from Linden Road to Chichester Road) Canada Grove Station Road London Road (from Station Road to High Street) High Street Upper Bognor Road Gloucester Road Annandale Avenue Argyle Road West Street Aldwick Road (from West Street to Victoria Drive) Park Road Goodman Drive Victoria Drive (South) (from Aldwick Road to Ellasdale Road) Esplanade (from West Street to Gloucester Road) The Steyne Chichester Road (from Upper Bognor Road to Victoria Drive).

THIRD SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand amperes flowing under an electromotive force of one volt during one hour.

SECTION 1.

Where the Company charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Company charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Company under the Board of Trade regulations.

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