

**CHAPTER lxxv.**

An Act to change the name of the Mid Southern District Utility Company to confer further powers on that Company and for other purposes. A.D. 1932.
[12th July 1932.]

WHEREAS the Mid Southern District Utility Company (hereinafter called "the Company") were incorporated by the Aldershot Gas and Water Act 1866 under the name of the Aldershot Gas and Water Company and under the provisions of that Act and subsequent Acts and Orders relating to the Company and their undertaking are authorised to supply gas in parts of the counties of Berks Southampton and Surrey to supply water in the borough of Aldershot in the said county of Southampton and in part of the parish of Seale in the said county of Surrey and to supply electricity in parts of the said counties of Southampton and Surrey and of the administrative county of West Sussex :

And whereas it is expedient that the name of the Company should be changed as in this Act provided :

And whereas it is expedient that the further powers in this Act set forth should be conferred upon the Company and that such other provisions should be made as are in this Act contained :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

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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 Mid Southern Utility Act 1932 and the Mid Southern District Utility Acts and Orders 1866 to 1931 the Aldershot District Electricity (Midhurst Transfer &c.) Special Order 1931 the Aldershot District Electricity (Extension &c.) Special Order 1931 and this Act may be cited together as the Mid Southern Utility Acts and Orders 1866 to 1932.

Incorporation of Part of an Act.

2. The following Part of an Act (so far as the same is applicable for the purposes and is not inconsistent with the provisions of this Act) is hereby incorporated with this Act namely Part IV (relating to change of name) of the Companies Clauses Act 1863.

Interpretation.

3. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Act partially incorporated herewith or by the Gas Undertakings Acts 1920 and 1929 have the same respective meanings And—

“ the Company ” means the Mid Southern Utility Company ;

“ the Act of 1931 ” means the Mid Southern District Utility Act 1931 ;

“ the Electricity Commissioners ” means the Electricity Commissioners constituted under the Electricity (Supply) Act 1919.

Change of name of Company.

4. Subject to the provisions of Part IV (relating to change of name) of the Companies Clauses Act 1863 the name of the Company shall from and after the passing of this Act be the Mid Southern Utility Company.

Increase of capital &c. by Special Order of Electricity

5.—(1) Notwithstanding that the Company are authorised to supply gas and water as well as electricity Special Orders may be made from time to time by the Electricity Commissioners and confirmed by the Minister

of Transport in accordance with the provisions of the Electricity (Supply) Acts 1882 to 1928—

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Com-
missioners.

(a) increasing the capital and borrowing powers of the Company authorised by the Mid Southern Utility Acts and Orders 1866 to 1932; and

(b) making such other provisions with regard to the Company or their capital or their undertaking as might be made by Special Order by the Board of Trade under paragraphs (e) to (i) inclusive of subsection (2) of section ten of the Gas Regulation Act 1920 if the Company were authorised to supply gas only;

and the Company are hereby authorised to make application for and the Electricity Commissioners and Minister of Transport are hereby respectively empowered to make and confirm such Special Orders but before making any Order not limited to the Company's electricity undertaking the Commissioners shall consult with the Minister of Health and the Board of Trade.

(2) A Special Order made in pursuance of the powers conferred by this section shall be laid before each House of Parliament and shall not come into force unless and until approved either with or without modification by resolution passed by each such House.

(3) Subsection (2) of section 6 (Power to Government departments to authorise Company to raise capital and to borrow) of the Act of 1931 is hereby repealed.

6.—(1) The Company may for the purposes of or in connection with their undertaking borrow or raise moneys on temporary loans from bankers by means of overdrafts or otherwise or by the issue of notes or bonds of a currency of not less than five years and of not more than ten years and may draw accept and endorse bills of exchange or other negotiable instruments.

Company
may incur
temporary
loans.

(2) The powers of raising moneys conferred by this section shall be in addition to any powers for the time being of the Company to borrow on mortgage of the undertaking or to raise moneys by the creation and issue of debenture stock Provided that the aggregate

A.D. 1932. — amount outstanding at any one time of the moneys raised under this section shall not exceed two hundred and fifty thousand pounds.

(3) Any money borrowed or raised under the provisions of this section in excess of the aggregate amount of capital which the Company are authorised to raise or borrow shall not be deemed to be authorised capital within the meaning of section 13 (Power to invest in securities of other companies &c.) of the Act of 1931 as explained by section 7 (Amendment of section 13 of Act of 1931) of this Act.

Amend-
ment of
section 13
of Act of
1931.

7.—(1) Section 13 (Power to invest in securities of other companies &c.) of the Act of 1931 shall have effect as though for the words “are themselves engaged in” there were substituted the words “carry on or are about to carry on.”

(2) For the removal of doubts the term “authorised capital” in the said section shall mean and include the aggregate amount of the moneys which the Company have raised or are for the time being authorised to raise for purposes for which capital money is properly applicable whether the same is raised or authorised to be raised by the issue of ordinary or preference stock or on mortgage of the undertaking or by the issue of debenture stock.

As to
recovery
summarily
of sums due
for fittings.

8. If the Company commence proceedings for the summary recovery of any sum due for the supply of electricity gas or water any other sum due or payable to the Company by the same consumer in respect of the sale or hire of any meter apparatus or fittings supplied by them for or in connection with the consumption or use of electricity gas or water (as the case may be) or in respect of the provision of materials and work in connection therewith or the fixing setting up repairing altering maintaining or removal thereof may be included in the same summons and may be recovered summarily as a civil debt together with the sum due for the supply of electricity gas or water (as the case may be) provided that the sum so included as aforesaid does not exceed twenty pounds in any one summons.

9. The powers of the Company under section 21 of the Electric Lighting Act 1882 of cutting off supplies of electricity and cutting or disconnecting electric lines or works and of recovering the expenses incurred in such cutting off shall be exerciseable in any case in which any part of any charge or sum due to the Company for electricity supplied by them or in respect of any apparatus or fitting let on hire by the Company or supplied by them on hire purchase terms and which the Company are under obligation to maintain remains unpaid after the expiration of such period from the date of demand thereof as the Company may from time to time determine.

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Power to cut off supplies where charges &c. not wholly paid.

10. The Company may levy and recover such charges as they think fit for taking the reading at the request and for the convenience of any consumer (at times other than those of the periodical readings) of any meter used for measuring the supply of gas or electricity to such consumer. Provided that such charges shall not exceed the sum of two shillings and sixpence for any one reading.

Charges for special readings of meters.

11.—(1) The Company may acquire hold and use either alone or jointly with any company body or person any patent rights in or licences (not being exclusive licences) for the use of inventions in relation—

Patent rights.

(a) to the manufacture supply or distribution of gas or the conversion manufacture or utilisation of residual products obtainable in or arising from such manufacture or from the materials used therein; or

(b) to the supply or distribution of water; or

(c) to the generation transformation distribution or utilisation of electricity.

(2) The Company may join with the inventor of any invention relating to the business of the Company in applying for a patent for such invention.

(3) Section 53 (Power to Company to use patented inventions) of the Aldershot Gas and Water Act 1866 section 28 (Power to take licenses for patents) of the Aldershot Gas and Water Order 1890 confirmed by the

A.D. 1932. Gas and Water Orders Confirmation Act 1890 and section 31 (Power to take licences for use of patents relating to electricity) of the Aldershot Gas Water and District Lighting Act 1909 are hereby repealed.

Costs of
Act.

12. 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.

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