
STATUTORY INSTRUMENTS

1994 No. 2205

WATER, ENGLAND AND WALES

**The Wrexham and East Denbighshire Water
Company (Constitution and Regulation) Order 1994**

<i>Made</i>	- - - -	<i>20th August 1994</i>
<i>Laid before Parliament</i>		<i>25th August 1994</i>
<i>Coming into force</i>	- -	<i>22nd September 1994</i>

Whereas provision is made for the constitution and regulation of the Wrexham and East Denbighshire Water Company in local statutory provisions:

And whereas the Company holds an appointment as a water undertaker under Chapter I of Part II of the Water Industry Act 1991⁽¹⁾:

And whereas the relevant local statutory provisions would, if the Company became a registered water company⁽²⁾, have effect in accordance with paragraph 5 of Schedule 21 to the Companies Act 1985⁽³⁾:

And whereas the Company has by a special resolution passed on 20th July 1994 proposed that provision contained in a memorandum and articles described in Schedule 1 to this Order, copies of which have been certified as such by the Secretary of State, shall have effect in substitution for the relevant local statutory provisions:

And whereas it appears to the Secretary of State that the requirements set out in paragraphs (a) and (b) of section 12(2) of the Statutory Water Companies Act 1991⁽⁴⁾ are satisfied as respects the aforesaid proposal:

And whereas it appears to the Secretary of State appropriate in consequence of his approval of the aforesaid proposal by this Order that the local statutory provisions specified in Schedule 2 to this Order be repealed:

Now, therefore, the Secretary of State, in exercise of powers conferred on him by sections 12(1) and 14 of the Statutory Water Companies Act 1991, hereby makes the following Order:

(1) 1991 c. 56.
(2) See section 15(2) of the Statutory Water Companies Act 1991 (c. 58).
(3) 1985 c. 6.
(4) 1991 c. 58.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Wrexham and East Denbighshire Water Company (Constitution and Regulation) Order 1994 and shall come into force on 22nd September 1994.

(2) In this Order—

“the Act” means the Statutory Water Companies Act 1991;

“the 1845 Act” means the Companies Clauses Consolidation Act 1845⁽⁵⁾;

“the 1863 Act” means the Companies Clauses Act 1863⁽⁶⁾;

“the Company” means the Wrexham and East Denbighshire Water Company;

“the memorandum and articles” means the memorandum and articles described in Schedule 1 hereto⁽⁷⁾;

“the proposal” means the proposal contained in the special resolution providing that provision contained in the memorandum and articles shall have effect in substitution for the relevant provisions;

“the relevant provisions” means the local statutory provisions referred to in the special resolution; and

“the special resolution” means the special resolution of the Company passed on 20th July 1994.

Approval of proposal contained in the special resolution

2. The proposal contained in the special resolution is hereby approved.

Date on which memorandum and articles come into force etc.

3. The date specified for the purposes of section 12(1) of the Act as the date on which the memorandum and articles shall come into force and the relevant provisions shall cease to have effect is 22nd September 1994.

Consequential provision

4. The local statutory provisions referred to in Schedule 2 hereto are repealed to the extent indicated in that Schedule with effect from 22nd September 1994.

Signed by authority of the Secretary of State for Wales

20th August 1994

Gwilym Jones
Parliamentary Under-Secretary of State, Welsh
Office

(5) 1845 c. 16.

(6) 1863 c. 118, amended by the Companies Clauses Act 1869 (c. 48).

(7) A copy of the documents may be inspected at the Welsh Office, Cathays Park, Cardiff, CF1 3NQ.

SCHEDULE 1

DOCUMENTS HAVING EFFECT AS MENTIONED IN SECTION 12(1)(b) OF THE STATUTORY WATER COMPANIES ACT 1991

The documents comprising the Memorandum of Association of Wrexham Water plc and the Articles of Association of Wrexham Water plc.

SCHEDULE 2

Article 4

CONSEQUENTIAL REPEALS

PART I

provisions of enactments repealed

Title	Reference	Extent of repeal
The Wrexham Waterworks Act 1864.	1864 c.lxxxv.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 5 to 8, 10 to 12 and 14 to 24.
The Wrexham Waterworks Act 1874.	1874 c.lvii.	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 18 to 26 and 31.
The Wrexham Waterworks Act 1880.	1880 c.lxx.	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 15 to 23.
The Wrexham Waterworks Act 1902.	1902 c.ix.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 29 to 33, 38, 39 and 44 to 48.
The Wrexham and East Denbighshire Water Act 1921.	1921 c.xxx.	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 28, 36, 37, 39, 40, 45, 53 and 55 to 62.
The Wrexham and East Denbighshire Water Act 1936.	1936 c.cvii.	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 35 and 36. Section 37 so far as relating to sections 22, 23 and 25 of the Wrexham and East Denbighshire Water Order 1933(8). Sections 41, 42 and 44 to 49.

(8) See [1933 c.lviii.](#)

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PART II

provisions of orders repealed

Title	Reference	Extent of repeal
The Wrexham Waterworks Order 1898.	Confirmed by 1898 c.cci .	Section 4 so far as relating to the 1845 Act and the 1863 Act. Sections 7 to 11, 17, 21 and 22.
The Wrexham and East Denbighshire Water Order 1933.	See 1933 c.lviii .	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 20, 22 to 26, 32 and 34.
The Wrexham and East Denbighshire Water Order 1952.	S.I. 1952/1235 .	Section 2 so far as relating to the 1845 Act and the 1863 Act.
The Wrexham and East Denbighshire Water (No. 2) Order 1954.	S.I. 1954/813 .	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 4 to 6 and 9.
The Wrexham and East Denbighshire Water Order 1955.	S.I. 1955/927 .	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 5, 26, 28 and 29.
The Wrexham and East Denbighshire Water Order 1960.	S.I. 1960/583 .	Sections 21 and 22.
The Wrexham and East Denbighshire Water (Financial Provisions) Order 1964.	S.I. 1964/600 .	Section 2 so far as relating to the 1845 Act and the 1863 Act. Sections 4, 5, 7, 10, 11 and 13 to 15.
The Wrexham and East Denbighshire Water (Financial Provisions) Order 1971.	S.I. 1971/349 .	The whole Order.
The Wrexham and East Denbighshire (Maelor and Llantysilio) Water Order 1973.	S.I. 1973/2235 .	Section 3 so far as relating to the 1845 Act and the 1863 Act. Sections 17, 18 and 20.
The Wrexham and East Denbighshire (Ceiriog) Water Order 1973.	S.I. 1973/2236 .	Section 20.
The Wrexham and East Denbighshire Water Order 1975.	S.I. 1975/978 .	Section 3 so far as relating to sections 74 to 77 of the Third Schedule to the Water Act 1945(9). Section 4.
The Wrexham and East Denbighshire Water (Financial Provisions) Order 1977.	S.I. 1977/799 .	The whole Order.

(9) [1945 c. 72](#).

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Title	Reference	Extent of repeal
The Wrexham and East Denbighshire Water (Capital Powers) Order 1979.	S.I. 1979/801 .	The whole Order.
The Wrexham and East Denbighshire Water (Capital Powers) Order 1983.	S.I. 1983/965 .	The whole Order.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 12(1) of the Statutory Water Companies Act 1991 provides for the replacement of provisions relating to the constitution and regulation of a statutory water company contained in its local Acts and Orders by provisions contained in a memorandum and articles which have been approved by special resolution of the members of the company. The replacement provisions have effect only if they are approved by the Secretary of State and come into force on such date as he determines.

This Order approves a proposal by the Wrexham and East Denbighshire Water Company that a memorandum and articles of association should have effect in substitution for provisions contained in the Company's local Acts and Orders (article 2). It also provides that the date on which those provisions cease to have effect is 22nd September 1994 (article 3) and for the repeal of the superseded provisions and for consequential repeals (article 4).

This Order is associated with the company's proposal to convert to the status of a registered company under the Companies Act 1985.