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STATUTORY INSTRUMENTS

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**1992 No. 424**

**WATER, ENGLAND AND WALES**

**The Colne Valley Water Company Plc  
(Constitution and Regulation) Order 1992**

<i>Made</i>	- - - -	<i>2nd March 1992</i>
<i>Laid before Parliament</i>		<i>9th March 1992</i>
<i>Coming into force</i>	- -	<i>30th March 1992</i>

Whereas provision is made for the constitution and regulation of The Colne Valley Water Company Plc (“the Company”) in local statutory provisions (“the relevant provisions” which have effect in accordance with paragraph 5 of Schedule 21 to the Companies Act 1985<sup>(1)</sup>):

And whereas the Company is a statutory water company which holds an appointment as a water undertaker under Chapter I of Part II of the Water Industry Act 1991<sup>(2)</sup>:

And whereas the Company is a registered water company <sup>(3)</sup> and has by a special resolution passed on 9th January 1992 (“the special resolution”) proposed that provision contained in a memorandum and articles described in Schedule 1 to this Order (“the memorandum and articles”), copies of which have been certified as such by the Secretary of State, shall have effect in substitution for the relevant provisions (“the proposal”):

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<sup>(4)</sup> (“the Act”) are satisfied as respects the proposal:

And whereas it appears to the Secretary of State appropriate in consequence of his approval of the proposal by this Order that the local statutory provisions specified in Schedule 2 to this Order be repealed: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 the powers conferred on him by sections 12(1) and 14 of the Act, hereby makes the following Order:

**Citation, commencement and interpretation**

**1.—(1)** This Order may be cited as the Colne Valley Water Company Plc (Constitution and Regulation) Order 1992 and shall come into force on 30th March 1992.

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(1) 1985 c. 6.

(2) 1991 c. 56.

(3) See section 15(2) of the Statutory Water Companies Act 1991(c. 58).

(4) 1991 c. 58.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(2) In this Order—

“the 1845 Act” means the Companies Clauses Consolidation Act 1845<sup>(5)</sup>; and

“the 1863 Act” means the Companies Clauses Act 1863 <sup>(6)</sup>.

**Approval of proposed 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 30th March 1992.

**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 30th March 1992.

2nd March 1992

*Michael Heseltine*  
One of Her Majesty’s Principal Secretaries of  
State

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(5) 1845 c. 16.

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

## 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 Colne Valley Water Limited and the Articles of Association of Colne Valley Water Limited(7)

## SCHEDULE 2

Article 4

### CONSEQUENTIAL REPEALS

#### PART I

#### PROVISIONS OF ENACTMENTS REPEALED

Title	Reference	Extent of repeal
The Colne Valley Water Act 1873.	<a href="#">1873 c.lxxx.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act.  Sections 5, 9, 13, 25, 27, 28 and 30.
The Colne Valley Water Act 1855.	<a href="#">1885 c.cxxxiii.</a>	Section 4.
The Colne Valley Water Act 1907.	<a href="#">1907 c.cxliv.</a>	Sections 2 and 5
The Colne Valley Water Act 1922.	<a href="#">1922 c.cxxxiii.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act.  Sections 58, 71, 75 to 77 and 80 to 83.
The Colne Valley Water Act 1928.	<a href="#">1928 c.lxxviii.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act.  Section 22.
The Colne Valley Water Act 1939.	<a href="#">1939 c.lxxviii.</a>	Section 3 so far as relating to the 1845 Act and the 1863 Act.  Sections 31, 66 to 70, 73, 75 to 77, 82, 84 and 110 to 112.
The Colne Valley Water Act 1945.	<a href="#">1945 c.viii.</a>	Section 3 so far as relating to the 1845 Act and the 1863 Act.

(7) A copy of the documents may be inspected at the Department of the Environment, Romney House, 43 Marsham Street, London SW1P 3PY.

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Title	Reference	Extent of repeal
		Sections 44, 45, 47 to 50, 52 and 54 to 58.
		Section 60(1), except paragraphs (a) and (b).
		Sections 60(2), 63 and 84 to 90.

## PART II

### PROVISIONS OF ORDERS REPEALED

Title	Reference	Extent of repeal
The Colne Valley Water Order 1951.	S.I. <a href="#">1951/674</a> .	The whole Order.
The Colne Valley Water Order 1955.	S.I. <a href="#">1959/972</a>	Sections 2(1) and (2), 5 to 11, 17 and 18.
The Colne Valley Water Order 1960.	S.I. <a href="#">1960/1682</a>	Sections 2(1) and (2), 5 to 10, 15 and 16.
The Colne Valley Water (Financial Provisions) Order 1960.	S.I. <a href="#">1960/2150</a>	The whole Order.
The Colne Valley Water Order 1963.	S.I. <a href="#">1963/1339</a> .	The whole Order.
The Three Valleys Water Order 1970.	S.I. <a href="#">1970/1790</a>	Section 25 so far as it applies to the Company.  Sections 27 to 30.
The Colne Valley Water (Financial Provisions) Order 1971.	S.I. <a href="#">1971/986</a>	The whole Order.
The Colne Valley Water (Financial Provisions)(No.2) Order 1971.	S.I. <a href="#">1971/1908</a>	The whole Order.
The Colne Valley Water Order 1973.	S.I. <a href="#">1973/1837</a>	Sections 3(1) and (2) and 25
The Colne Valley Water Order 1974.	S.I. <a href="#">1974/915</a>	Sections 3(1) to (3), 6 and 10
The Colne Valley Water Order 1983.	S.I. <a href="#">1983/1216</a> .	The whole Order.

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## 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 Colne Valley Water Company Plc 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 30th March 1992 (article 3) and for the repeal of the superseded provisions and for consequential repeals (article 4).

The Company has already converted to the status of a registered company under the Companies Act 1985, and this Order is associated with the conversion.