

Passed by both Houses



New South Wales

New South Wales—Queensland Border Rivers Amendment Bill 2001

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of New South Wales—Queensland Border Rivers Act 1947 No 10	2
Schedule 1 Amendments	3

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2001*



New South Wales

New South Wales—Queensland Border Rivers Amendment Bill 2001

Act No , 2001

An Act to amend the *New South Wales—Queensland Border Rivers Act 1947* so as to ratify and approve an agreement that has been entered into between the Premiers of New South Wales and Queensland and that amends an existing agreement concerning certain border rivers and water sources.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *New South Wales—Queensland Border Rivers Amendment Act 2001*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of New South Wales—Queensland Border Rivers Act 1947 No 10

The *New South Wales—Queensland Border Rivers Act 1947* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 4 Definitions

Omit “and the Second Amending Agreement” from the definition of *Agreement*.

Insert instead “, the Second Amending Agreement and the Third Amending Agreement”.

[2] Section 4

Insert in alphabetical order:

Third Amending Agreement means the agreement of which a copy is set out in the Third Supplementary Schedule to this Act.

[3] Section 5 Ratification of agreements

Omit “and the Second Amending Agreement” wherever occurring.

Insert instead “, the Second Amending Agreement and the Third Amending Agreement”.

[4] Third Supplementary Schedule

Insert after the Second Supplementary Schedule:

Third Supplementary Schedule

(Section 4)

AN AGREEMENT made on _____ between
THE STATE OF NEW SOUTH WALES and THE STATE OF
QUEENSLAND.

WHEREAS -

- (a) an agreement was made between the States on 27 November 1946 (the “original agreement”) that was approved and ratified under -

- (i) the *New South Wales - Queensland Border Rivers Act 1947* of the State of New South Wales; and
 - (ii) the *New South Wales - Queensland Border Rivers Act 1946* of the State of Queensland; and
- (b) an agreement amending the original agreement was made between the States on 4 November 1968 (the “first amending agreement”) that was approved and ratified under -
- (i) the *New South Wales - Queensland Border Rivers (Amendment) Act 1968* of the State of New South Wales; and
 - (ii) the *New South Wales - Queensland Border Rivers Act Amendment Act 1968* of the State of Queensland; and
- (c) an agreement amending the original agreement as amended by the first amending agreement was made between the States on 15 March 1993 (the “second amending agreement”) that was approved and ratified under -
- (i) the *New South Wales - Queensland Border Rivers (Amendment) Act 1993* of the State of New South Wales; and
 - (ii) the *New South Wales - Queensland Border Rivers Act Amendment Act 1993* of the State of Queensland; and
- (d) the States desire to make further amendments of the original agreement as amended by the first amending agreement and second amending agreement.

NOW IT IS AGREED as follows -

PART 1 - PRINCIPAL AGREEMENT

1. Definition

In this agreement -

“principal agreement” means the original agreement as amended by the first amending agreement and the second amending agreement.

2. Binding of States

The principal agreement continues to bind the States subject to the amendments of the principal agreement made by this agreement.

PART 2 - RATIFICATION OF AGREEMENT

3. Ratification

- (1) This agreement -
 - (a) is subject to ratification by the Parliaments of the States;
and
 - (b) comes into effect when so ratified.
- (2) Each State is to take all practicable steps to have this agreement ratified.

PART 3 - AMENDMENT OF PRINCIPAL AGREEMENT

4. Amended Agreement

The principal agreement is amended as set out in this agreement.

5. Amendment of clause 37 (Determination of anticipated available quantity) - Clause 37 (2):

omit subclause and insert the following new subclause.

“(2) In determining the supply of water a party hereto is, for any complete year, entitled, the Commission may allocate to that party any part of the supply of water to which that party was entitled in respect of any previous period of time and which was not expended by that party.”

IN WITNESS WHEREOF the Premiers of the States of New South Wales and Queensland have hereunto set their hands the day and year first hereinbefore written

SIGNED SEALED and Delivered by the Honourable ROBERT JOHN CARR the Premier of the State of New South Wales for and on behalf of that State (but so as not to incur any personal liability) in the presence of:

ROBERT JOHN CARR

SIGNED SEALED and Delivered by the Honourable PETER BEATTIE the Premier of the State of Queensland for and on behalf of that State (but so as not to incur any personal liability) in the presence of:

PETER BEATTIE