

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

Arrangements for the sharing of water from the rivers comprising the Murray–Darling Basin are the subject of an agreement entered into on 24 June 1992 between the Commonwealth, New South Wales, Victoria and South Australia (the ***Murray–Darling Basin Agreement***). Legislative approval to that agreement was given when Parliament enacted the *Murray–Darling Basin Act 1992*. A copy of the agreement (as subsequently amended on 3 June 2002) is set out in Schedule 1 to that Act.

The Commonwealth, New South Wales, Queensland, Victoria, South Australia and the Australian Capital Territory have subsequently entered into an agreement (the ***Murray–Darling Basin Amending Agreement 2006***) to further amend the Murray–Darling Basin Agreement so as to facilitate the operation of the Murray–Darling Basin Commission’s water business on appropriate commercial principles.

The object of this Bill is to amend the *Murray–Darling Basin Act 1992* so as to give legislative approval to the Murray–Darling Basin Amending Agreement 2006. As a consequence of that approval, the Murray–Darling Basin Agreement will be amended in accordance with the terms of the Murray–Darling Basin Amending Agreement 2006.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 is a formal provision that gives effect to the amendments to the *Murray–Darling Basin Act 1992* set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Schedule 1 Amendments

Schedule 1 [1] amends the definition of ***Agreement*** in section 4 (1) to reflect the adoption of the Murray–Darling Basin Amending Agreement 2006.

Schedule 1 [2] inserts a definition of ***Amending Agreement 2006*** into section 4 (1).

Schedule 1 [3] inserts proposed section 6B. The new section gives legislative approval to the Murray–Darling Basin Amending Agreement 2006.

Schedule 1 [4] inserts proposed Schedule 3. The new Schedule contains the text of the Murray–Darling Basin Amending Agreement 2006.