



New South Wales

# Water (Commonwealth Powers) Amendment (Termination of References) Bill 2019

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *Water (Commonwealth Powers) Act 2008* to enable each House of Parliament, by resolution, to terminate certain references made under that Act for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth.

## 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** amends the *Water (Commonwealth Powers) Act 2008* to give effect to the object specified in the Overview above.



New South Wales

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New South Wales

# Water (Commonwealth Powers) Amendment (Termination of References) Bill 2019

No. , 2019

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## A Bill for

An Act to amend the *Water (Commonwealth Powers) Act 2008* to enable each House of Parliament, by resolution, to terminate the references under that Act; and for related purposes.

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Water (Commonwealth Powers) Amendment (Termination of References) Act 2019*.

**2 Commencement**

This Act commences on the date of assent to this Act.

**3 Amendment of Water (Commonwealth Powers) Act 2008 No 69**

**(1) Section 4 Reference of matters**

Insert “or 5A” after “section 5” in section 4(5)(b).

**(2) Section 5A**

Insert after section 5—

**5A Termination of references by House of Parliament**

- (1) Either House of Parliament may, at any time, by resolution, terminate the references under this Act (a *termination resolution*).
- (2) A termination resolution takes effect on the day that is 6 months after the day the resolution was passed.
- (3) A motion for a termination resolution must set out the reasons for the resolution.
- (4) A House of Parliament that has passed a termination resolution may, by a further resolution, revoke the termination resolution, in which case the revoked termination resolution is taken (for the purposes of section 4) never to have been passed.
- (5) A resolution revoking a termination resolution has effect only if passed before the day on which the termination resolution takes effect.
- (6) The revocation of a termination resolution does not prevent the passing of a further termination resolution under this section.