

LEGISLATIVE ASSEMBLY

Water Management Amendment (Transparency of Water Rights) Bill 2020

Second print

Proposed amendments

No. 1 **Access Register—information privacy**
Page 4, Schedule 1[1], lines 12 and 13. Omit all words on those lines.

No. 2 **Access Register—irrigation corporations**
Page 4, Schedule 1. Insert before line 14—

[1A] Section 71AA

Insert after section 71A—

71AA Additional matters relating to irrigation corporations to be recorded in Access Register

- (1) The following matters relating to an access licence (including a replacement access licence) held by an irrigation corporation, or relating to a holding held by an irrigation corporation in an access licence, must be recorded in the General Division of the Access Register—
 - (a) details of any person or body that acquires, by contractual arrangement or otherwise, a right to exercise an entitlement conferred by the access licence or holding,
 - (b) details of the acquired right (including, if applicable, the proportion of the share component of the access licence included in the entitlement).
- (2) The irrigation corporation is to notify the Minister of the acquisition of the right within 28 days of becoming aware of the acquisition.
- (3) The details to be recorded for the purposes of subsection (1)(a) are as follows—
 - (a) for a person or body that is not a corporation—the name of the person or body,
 - (b) for a corporation—
 - (i) the corporation's registered address, and
 - (ii) the corporation's ACN or (if applicable) ABRN, and

-
- (iii) details of any other corporation that is a related body corporate of the corporation (within the meaning of the *Corporations Act 2001* of the Commonwealth), and
 - (iv) the names of the directors of the corporation, and
 - (v) the name of any person entitled to 20% or more of the voting shares in the corporation.

No. 3 **Access Register—information privacy**

Page 4, Schedule 1[2], line 14. Omit “**Section 71CA**”. Insert instead “**Sections 71CA and 71CB**”.

No. 4 **Access Register—information privacy**

Page 4, Schedule 1[2]. Insert after line 31—

71CB Personal information not to be recorded in Access Register

Despite any other provision of this Division, the following are not to be recorded in the Access Register—

- (a) the residential address of an individual,
- (b) the telephone number or email address of an individual.

No. 5 **Access Register—irrigation corporations**

Page 4, Schedule 1[3], line 37. Omit “section 71A”. Insert instead “sections 71A and 71AA”.

No. 6 **Access Register—information privacy**

Page 6, Schedule 1[8], lines 6 and 7. Omit all words on those lines. Insert instead—

- (j) any other information required by the approved form for the licence application, except for the following—
 - (i) the residential address of an individual,
 - (ii) the telephone number or email address of an individual.

No. 7 **Access Register—information privacy**

Page 6, Schedule 1. Insert before line 8—

[8A] Schedule 1A, clause 1(4)

Omit “The Minister”. Insert instead “Subject to section 71CB, the Minister”.

No. 8 **Access Register—irrigation corporations**

Page 6, Schedule 1[9], line 16. Insert “—**approved form**” after “**Access Register**”.

No. 9 **Access Register—additional details**

Page 6, Schedule 1[9], lines 27–31. Omit all words on those lines. Insert instead—

- (3) A holder or co-holder that fails to comply with subclause (2) is guilty of an offence.
Tier 2 penalty.
- (3A) If a holder or co-holder fails to comply with subclause (2), the holder or co-holder is not eligible to apply for further access licences until the required information is provided.

No. 10 **Access Register—irrigation corporations**

Page 6, Schedule 1[9]. Insert after line 33—

Provision of additional details for Access Register—irrigation corporations

- (1) This clause applies to access licences and holdings in access licences that were in force and held by an irrigation corporation on the day on which the amending Act commenced.
- (2) The irrigation corporation must, within 3 months of the commencement of the amending Act, provide the Minister with the following information—
 - (a) details of any person or body that, on the day on which the amending Act commenced, had a right to exercise an entitlement conferred by the access licence or holding,
 - (b) details of the right (including, if applicable, the proportion of the share component of the access licence included in the entitlement).
- (3) An irrigation corporation that fails to comply with subclause (2) is guilty of an offence.
Tier 2 penalty.
- (4) If an irrigation corporation fails to comply with subclause (2), the irrigation corporation is not eligible to apply for further access licences until the required information is provided.
- (5) The Minister is to ensure that information provided under this clause is recorded in the Access Register.