

New South Wales.



ANNO PRIMO

EDWARDI VIII REGIS.

Act No. 31, 1936.

An Act to make further provisions in relation to licenses granted under Part II of the Water Act, 1912-1930; to reduce the rate of interest payable on certain overdue rates; to exempt certain Trusts from payment of charges for water; to alter the charges for water payable by certain other Trusts; to validate certain matters; to amend the Water Act, 1912-1930, and certain other Acts; and for purposes connected therewith. [Assented to, 10th July, 1936.]

Water (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title
and citation.

1. (1) This Act may be cited as the "Water (Amendment) Act, 1936," and shall be read and construed with the Water Act, 1912-1930, as amended by subsequent Acts.

The Water Act, 1912-1930, as so amended, is in this Act referred to as the Principal Act.

(2) The Principal Act, as amended by this Act, may be cited as the Water Act, 1912-1936.

Amendment
of Act No. 44,
1912.

Sec. 12 (3).
(Period of
license.)

2. (1) The Principal Act is amended as follows :—

(a) by omitting from subsection three of section twelve the words "Railway Commissioners of New South Wales, the Metropolitan Meat Industry Board," and by inserting in lieu thereof the words "Commissioner for Railways, the Metropolitan Meat Industry Commissioner";

Sec. 14.
(Renewal
of licenses.)

(b) (i) by omitting from subsection one of section fourteen the words "shall subject to such limitations and conditions as the Commission may decide" and by inserting in lieu thereof the word "may";

(ii) by inserting in the same subsection after the word "Commission" where lastly occurring the words "or the decision of the Land and Valuation Court on appeal";

(iii) by inserting in the same subsection after the words "prescribed time" the words "or the application be not granted";

(iv) by omitting from the same subsection the words "Railway Commissioners of New South Wales, the Metropolitan Meat Industry Board" and by inserting in lieu thereof

the

Water (Amendment).

the words "Commissioner for Railways, the Metropolitan Meat Industry Commissioner";

- (v) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections:—

(2) Where the Commission decides that the application for the renewal of a license shall not be granted, or that the renewal of a license shall be subject to a period, terms, limitations and conditions differing from those which were previously attached to the license, the applicant shall within twenty-eight days after the posting to him by the Commission of a notification of the refusal of the application, or of particulars of such period, terms, limitations and conditions, as the case may be, have the right of appeal to the Land and Valuation Court against the decision of the Commission. The decision of the said Court shall be final.

The appeal shall be made as prescribed by rules of Court and be accompanied by a fee of five pounds as security for the costs of the appeal. Notice in the prescribed form of appeal shall be given by the appellant to the Commission with the lodging of the appeal in the court.

(3) Subject to the said right of appeal a renewal of a license may be subject to such terms, limitations and conditions as the Commission deems expedient in the public interest; and, without prejudice to the generality of the foregoing provisions of this subsection, such terms, limitations and conditions may include—

- (a) a limitation or reduction of the area of land which may be irrigated by water obtained by the licensed work;

(b)

Water (Amendment).

(b) a provision allowing any alteration in the licensed work which does not increase the quantity of the water conserved or obtained thereby.

(4) This section shall apply to and in respect of licenses granted or renewed before the commencement of the Water (Amendment) Act, 1936, as well as to licenses granted or renewed after such commencement.

(5) Unless the appellant and the Commission otherwise agree any appeal under this section shall (subject to the concurrence of the judge of the Land and Valuation Court) be heard at such venue as in the opinion of the judge is as near as conveniently may be to the site of the work in respect of which such appeal has been lodged as aforesaid.

(c) by omitting section 55B and by inserting in lieu thereof the following section:—

55B. (1) Overdue rates and charges payable to a trust shall be increased in accordance with this section.

(2) If the rates or charges are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred and thirty-six and at the rate of five per centum per annum in respect of any period after the thirtieth day of June one thousand nine hundred and thirty-six. The increase shall be deemed to be part of the rates or charges as the case may be.

(3) The calculation under subsection two of this section shall be made in respect only of

as

Substituted
Sec. 55B.

(Interest on
overdue rates
and charges.)

Water (Amendment).

as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

(4) If in any case the percentage is less than threepence the increase shall be threepence.

(5) The increase in the rates or charges under this section shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

- (d) (i) by omitting from subsection one of section one hundred and thirty-nine the words "after the first day of July, but not later than the thirtieth day of September in each year"; Sec. 139.
(Assessment of rates and charges.)
- (ii) by inserting in the same subsection after the word "assess" the words "during that year";
- (iii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection:—

(2) (a) Overdue rates and charges for water assessed under subsection one of this section or under section 139A of this Act shall be increased in accordance with this subsection.

(b) If the rates or charges so assessed are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred and thirty-six and at the rate of five per centum per annum in respect of any period after the thirtieth day of June one thousand nine hundred and thirty-six.

Any

Water (Amendment).

Any increase under this paragraph shall be deemed to be part of the rates or charges as the case may be.

(c) The calculation under paragraph (b) of this subsection shall be made in respect only of as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

(d) If in any case the percentage is less than threepence the increase shall be threepence.

(e) The increase in the rates or charges under this subsection shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

New s. 139A.

(e) by inserting next after section one hundred and thirty-nine the following new section:—

Provisional
assessments.

139A. (1) Before fixing the rates or charges for water in respect of any year the Commission may, in respect of that year and in respect of each holding, make a provisional assessment in accordance with the provisions of this Part of the rates or charges for water within a district or provisional district.

(2) Such provisional assessment shall be made on the basis of an amount by way of rate or charge to be determined by the Commission which amount shall not exceed—

(a) where the provisional assessment is made in respect of any year during the period from the date of the constitution of the provisional district to the thirtieth day of June next following the fifth anniversary of the constitution of the district—

one

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one half of the rates and charges notified under section one hundred and thirty-one of this Act or any amended rates and charges fixed by a proclamation under the provisions of section one hundred and thirty-two of this Act; or

- (b) where the provisional assessment is made in respect of any year after the expiration of the said period—one half the rates and charges fixed in respect of the next preceding year.

(3) The rates and charges so provisionally assessed shall be notified and paid as prescribed.

(4) The provisions of subsections two and three of section one hundred and thirty-nine and of section one hundred and forty-three of this Act shall apply to and in respect of the rates and charges so provisionally assessed in like manner and to the same extent as they apply to rates and charges assessed under subsection one of section one hundred and thirty-nine of this Act.

(5) Where provisional assessments have been made under this section in respect of any year, and any amount has been paid in or towards satisfaction of the rates and charges so provisionally assessed in respect of any holding, such amount shall, when the rates and charges have been assessed for that year, pursuant to subsection one of section one hundred and thirty-nine of this Act, be credited against the rates and charges so assessed in respect of that holding.

- (f) (i) by omitting from the matter relating to Part I in section one the symbols "ss. 1-4" and by inserting in lieu thereof the symbols "ss. 1-4A";

Sec. 1.
(Correc-
tions.)

(ii)

Water (Amendment).

- (ii) by inserting in the same section after the words and symbols "DIVISION 3.—*Licenses*—ss. 10-18," the words and symbols—

DIVISION 3A.—*Priority of right to the appropriation of water*—ss. 18A-18E.

DIVISION 3B.—*Permits*—ss. 18F-18Q.

- (iii) by omitting from the same section the words "*Works constructed by the Crown*" and by inserting in lieu thereof the words "*Private irrigation schemes*";
- (iv) by omitting from the matter under Part IV in the same section the word "*Interpretation*" and by inserting in lieu thereof the word "*Preliminary*";
- (v) by omitting from the matter under Part V in the same section the figures "112-118" and by inserting in lieu thereof the figures "111A-118";
- (vi) by inserting at the end of the same section the following words and symbols:—

PART VI.—DOMESTIC AND STOCK WATER
SUPPLY DISTRICTS AND DOMESTIC AND
STOCK WATER SUPPLY AND IRRIGATION
DISTRICTS.—ss. 130-149.

SCHEDULES.

Sec. 74.
(Correc-
tion.)

- (vii) by omitting from paragraph (k) of subsection one of section seventy-four the word "proceeds" and by inserting in lieu thereof the word "proceedings."

Amendment of
Act No. 48,
1916, s. 2.
(Statute law
revision.)

Benerembah
and Tabbita.

(2) The Water (Amendment) Act, 1916, is amended by omitting paragraph (a) of section two.

(3) The Commission may reduce the charges or rates fixed by it under the provisions of Part VI of the Principal Act for the year commencing on the first day of

Water (Amendment).

of July, one thousand nine hundred and thirty-five, in respect of the Benerembah Provisional Domestic and Stock Water Supply and Irrigation District and the Tabbita Domestic and Stock Water Supply and Irrigation District.

In the event of the Commission making the reduction the difference between the reduced amount and the amount originally fixed by the Commission paid by any owner shall be set off against any further sum to become payable by him under the provisions of Part VI of the Principal Act.

3. (1) (a) The Walgett Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the twentieth day of June, one thousand nine hundred and thirty-five. Validations,
exemptions,
alterations,
etc.

(b) This subsection shall be deemed to have commenced upon the twentieth day of June, one thousand nine hundred and thirty-five.

(2) (a) The Youendah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of July, one thousand nine hundred and thirty-five.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of July, one thousand nine hundred and thirty-five.

(3) (a) The Brewon Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of January, one thousand nine hundred and thirty-three.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-three.

(4)

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(4) (a) The Uranbah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of October, one thousand nine hundred and thirty-four.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of October, one thousand nine hundred and thirty-four.

(5) (a) Notwithstanding anything contained in the Principal Act, the following provisions shall apply to, and have effect in respect of the Bungunyah-Koraleigh Irrigation Trust:—

The arrears at the twenty-third day of May, one thousand nine hundred and thirty-five, in the payments by the Trust to the Crown in respect of the extensions of the works of the Trust shall be consolidated with the total amount of the costs of the said extensions of the work remaining after the said date to be repaid to the Crown.

The consolidated sum shall be paid to the Crown by the Trust with interest at the rate of four per centum per annum by equal quarterly payments in advance over a period of nineteen years from the twenty-third day of May, one thousand nine hundred and thirty-five.

(b) This subsection shall be deemed to have commenced upon the twenty-third day of May, one thousand nine hundred and thirty-five.

(6) The substitution of the charge made by the Crown to the Milroy Bore Water Trust at the rate of one pound four shillings and ninepence in lieu of one pound seven shillings eightpence and three-tenths of a penny per one thousand gallons of daily flow of the bore as ascertained by an annual measurement for water supplied by the Crown to the said Trust is hereby validated.

(7) The yearly charge to be paid by the Gil Gil Bore Water Trust for water to be supplied by the Crown shall on and after the twenty-eighth day of January, one

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one thousand nine hundred and thirty-seven, be thirteen shillings and eleven pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of December, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of December in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(8) (a) The yearly charge to be paid by the Boomi Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds thirteen shillings and four pence and thereafter shall be three shillings and ten pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand nine hundred and thirty-five.

(9) (a) The yearly charge to be paid by the Tulloona Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds and
thereafter

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thereafter twelve shillings for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand nine hundred and thirty-five.

(10) (a) The yearly charge to be paid by the Euraba Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing on the twenty-ninth day of August, one thousand nine hundred and thirty-five, be one hundred and sixty-seven pounds fifteen shillings and thereafter five shillings and one penny for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the twenty-ninth day of August, one thousand nine hundred and thirty-five.

(11) (a) The yearly charge to be paid by the Lower Quambone Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing

on

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on the seventh day of May, one thousand nine hundred and thirty-six, be eighty-seven pounds nine shillings and thereafter at the rate of eleven shillings and five pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of April, one thousand nine hundred and thirty-seven, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of April in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the seventh day of May, one thousand nine hundred and thirty-six.

(12) (a) The yearly charge to be paid by the Moomin Bore Water Trust for water supplied by the Crown is, from the twelfth day of February, one thousand nine hundred and thirty-six, reduced to the rate of seventeen shillings and threepence for every thousand gallons or part thereof in the flow per day of water from the bore as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust. The measurement of the flow shall be made on or as near as practicable to the first day of February in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the first day of February, one thousand nine hundred and thirty-six.

(13) (a) The Gilgooma Bore Water Trust is authorised in lieu of repayment by means of a sinking fund of its debt to the Crown to pay to the Crown for water supplied and to be supplied from the bore a yearly charge of one pound four shillings and threepence for every thousand gallons or part thereof in the flow of
water

Water (Amendment).

water from the bore per day, the said charge for the year commencing on the sixteenth day of January, one thousand nine hundred and thirty-four, to be based on the flow of one hundred and twelve thousand six hundred and seventy-seven gallons per day and thereafter on the flow as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the sixteenth day of December, one thousand nine hundred and thirty-four; and subsequent measurements of such flow to be made on or near as practicable to the sixteenth day of December in each year.

The said yearly charge shall be paid by the said Trust whilst the natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-four.

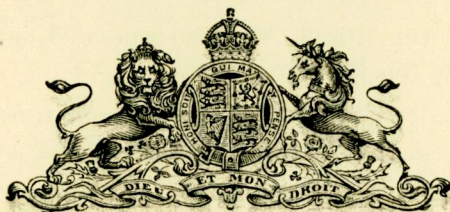
By Authority:

ALFRED JAMES KENT, L.S.O., Government Printer, Sydney.—1936.
[6d.]

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.

*W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 2 July, 1936.*

New South Wales.



ANNO PRIMO

EDWARDI VIII REGIS.

Act No. 31, 1936.

An Act to make further provisions in relation to licenses granted under Part II of the Water Act, 1912-1930; to reduce the rate of interest payable on certain overdue rates; to exempt certain Trusts from payment of charges for water; to alter the charges for water payable by certain other Trusts; to validate certain matters; to amend the Water Act, 1912-1930, and certain other Acts; and for purposes connected therewith. [Assented to, 10th July, 1936.]

BE

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

W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.

Water (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title
and citation.

1. (1) This Act may be cited as the "Water (Amendment) Act, 1936," and shall be read and construed with the Water Act, 1912-1930, as amended by subsequent Acts.

The Water Act, 1912-1930, as so amended, is in this Act referred to as the Principal Act.

(2) The Principal Act, as amended by this Act, may be cited as the Water Act, 1912-1936.

Amendment
of Act No. 44,
1912.

Sec. 12 (3).
(Period of
license.)

2. (1) The Principal Act is amended as follows :—

(a) by omitting from subsection three of section twelve the words "Railway Commissioners of New South Wales, the Metropolitan Meat Industry Board," and by inserting in lieu thereof the words "Commissioner for Railways, the Metropolitan Meat Industry Commissioner";

Sec. 14.
(Renewal
of licenses.)

(b) (i) by omitting from subsection one of section fourteen the words "shall subject to such limitations and conditions as the Commission may decide" and by inserting in lieu thereof the word "may";

(ii) by inserting in the same subsection after the word "Commission" where lastly occurring the words "or the decision of the Land and Valuation Court on appeal";

(iii) by inserting in the same subsection after the words "prescribed time" the words "or the application be not granted";

(iv) by omitting from the same subsection the words "Railway Commissioners of New South Wales, the Metropolitan Meat Industry Board" and by inserting in lieu thereof

the

Water (Amendment).

the words "Commissioner for Railways, the Metropolitan Meat Industry Commissioner";

- (v) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections:—

(2) Where the Commission decides that the application for the renewal of a license shall not be granted, or that the renewal of a license shall be subject to a period, terms, limitations and conditions differing from those which were previously attached to the license, the applicant shall within twenty-eight days after the posting to him by the Commission of a notification of the refusal of the application, or of particulars of such period, terms, limitations and conditions, as the case may be, have the right of appeal to the Land and Valuation Court against the decision of the Commission. The decision of the said Court shall be final.

The appeal shall be made as prescribed by rules of Court and be accompanied by a fee of five pounds as security for the costs of the appeal. Notice in the prescribed form of appeal shall be given by the appellant to the Commission with the lodging of the appeal in the court.

(3) Subject to the said right of appeal a renewal of a license may be subject to such terms, limitations and conditions as the Commission deems expedient in the public interest; and, without prejudice to the generality of the foregoing provisions of this subsection, such terms, limitations and conditions may include—

- (a) a limitation or reduction of the area of land which may be irrigated by water obtained by the licensed work;

(b).

Water (Amendment).

(b) a provision allowing any alteration in the licensed work which does not increase the quantity of the water conserved or obtained thereby.

(4) This section shall apply to and in respect of licenses granted or renewed before the commencement of the Water (Amendment) Act, 1936, as well as to licenses granted or renewed after such commencement.

(5) Unless the appellant and the Commission otherwise agree any appeal under this section shall (subject to the concurrence of the judge of the Land and Valuation Court) be heard at such venue as in the opinion of the judge is as near as conveniently may be to the site of the work in respect of which such appeal has been lodged as aforesaid.

Substituted
Sec. 55B.
(Interest on
overdue rates
and charges.)

(c) by omitting section 55B and by inserting in lieu thereof the following section:—

55B. (1) Overdue rates and charges payable to a trust shall be increased in accordance with this section.

(2) If the rates or charges are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred and thirty-six and at the rate of five per centum per annum in respect of any period after the thirtieth day of June one thousand nine hundred and thirty-six. The increase shall be deemed to be part of the rates or charges as the case may be.

(3) The calculation under subsection two of this section shall be made in respect only of

as

Water (Amendment).

as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

(4) If in any case the percentage is less than threepence the increase shall be threepence.

(5) The increase in the rates or charges under this section shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

(d) (i) by omitting from subsection one of section one hundred and thirty-nine the words "after the first day of July, but not later than the thirtieth day of September in each year";

Sec. 139.
(Assess-
ment of
rates and
charges.)

(ii) by inserting in the same subsection after the word "assess" the words "during that year";

(iii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection:—

(2) (a) Overdue rates and charges for water assessed under subsection one of this section or under section 139A of this Act shall be increased in accordance with this subsection.

(b) If the rates or charges so assessed are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred and thirty-six and at the rate of five per centum per annum in respect of any period after the thirtieth day of June one thousand nine hundred and thirty-six.

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Water (Amendment).

Any increase under this paragraph shall be deemed to be part of the rates or charges as the case may be.

(c) The calculation under paragraph (b) of this subsection shall be made in respect only of as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

(d) If in any case the percentage is less than threepence the increase shall be threepence.

(e) The increase in the rates or charges under this subsection shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

New s. 139A.

(e) by inserting next after section one hundred and thirty-nine the following new section:—

Provisional
assessments.

139A. (1) Before fixing the rates or charges for water in respect of any year the Commission may, in respect of that year and in respect of each holding, make a provisional assessment in accordance with the provisions of this Part of the rates or charges for water within a district or provisional district.

(2) Such provisional assessment shall be made on the basis of an amount by way of rate or charge to be determined by the Commission which amount shall not exceed—

(a) where the provisional assessment is made in respect of any year during the period from the date of the constitution of the provisional district to the thirtieth day of June next following the fifth anniversary of the constitution of the district—

one

Water (Amendment).

one half of the rates and charges notified under section one hundred and thirty-one of this Act or any amended rates and charges fixed by a proclamation under the provisions of section one hundred and thirty-two of this Act; or

- (b) where the provisional assessment is made in respect of any year after the expiration of the said period—one half the rates and charges fixed in respect of the next preceding year.

(3) The rates and charges so provisionally assessed shall be notified and paid as prescribed.

(4) The provisions of subsections two and three of section one hundred and thirty-nine and of section one hundred and forty-three of this Act shall apply to and in respect of the rates and charges so provisionally assessed in like manner and to the same extent as they apply to rates and charges assessed under subsection one of section one hundred and thirty-nine of this Act.

(5) Where provisional assessments have been made under this section in respect of any year, and any amount has been paid in or towards satisfaction of the rates and charges so provisionally assessed in respect of any holding, such amount shall, when the rates and charges have been assessed for that year, pursuant to subsection one of section one hundred and thirty-nine of this Act, be credited against the rates and charges so assessed in respect of that holding.

- (f) (i) by omitting from the matter relating to Part I in section one the symbols "ss. 1-4" and by inserting in lieu thereof the symbols "ss. 1-4A";

Sec. 1.
(Correc-
tions.)

(ii)

Water (Amendment).

- (ii) by inserting in the same section after the words and symbols "DIVISION 3.—*Licenses*—ss. 10-18," the words and symbols—

DIVISION 3A.—*Priority of right to the appropriation of water*—ss. 18A-18E.

DIVISION 3B.—*Permits*—ss. 18F-18Q.

- (iii) by omitting from the same section the words "*Works constructed by the Crown*" and by inserting in lieu thereof the words "*Private irrigation schemes*";
- (iv) by omitting from the matter under Part IV in the same section the word "Interpretation" and by inserting in lieu thereof the word "Preliminary";
- (v) by omitting from the matter under Part V in the same section the figures "112-118" and by inserting in lieu thereof the figures "111A-118";
- (vi) by inserting at the end of the same section the following words and symbols:—

PART VI.—DOMESTIC AND STOCK WATER
SUPPLY DISTRICTS AND DOMESTIC AND
STOCK WATER SUPPLY AND IRRIGATION
DISTRICTS.—ss. 130-149.

SCHEDULES.

Sec. 74.
(Correc-
tion.)

- (vii) by omitting from paragraph (k) of subsection one of section seventy-four the word "proceeds" and by inserting in lieu thereof the word "proceedings."

Amendment of
Act No. 48,
1916, s. 2.
(Statute law
revision.)

(2) The Water (Amendment) Act, 1916, is amended by omitting paragraph (a) of section two.

Benerembali
and Tabbita.

(3) The Commission may reduce the charges or rates fixed by it under the provisions of Part VI of the Principal Act for the year commencing on the first day of

Water (Amendment).

of July, one thousand nine hundred and thirty-five, in respect of the Benerembah Provisional Domestic and Stock Water Supply and Irrigation District and the Tabbita Domestic and Stock Water Supply and Irrigation District.

In the event of the Commission making the reduction the difference between the reduced amount and the amount originally fixed by the Commission paid by any owner shall be set off against any further sum to become payable by him under the provisions of Part VI of the Principal Act.

3. (1) (a) The Walgett Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the twentieth day of June, one thousand nine hundred and thirty-five. Validations,
exemptions,
alterations,
etc.

(b) This subsection shall be deemed to have commenced upon the twentieth day of June, one thousand nine hundred and thirty-five.

(2) (a) The Youendah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of July, one thousand nine hundred and thirty-five.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of July, one thousand nine hundred and thirty-five.

(3) (a) The Brewon Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of January, one thousand nine hundred and thirty-three.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-three.

(4)

Water (Amendment).

(4) (a) The Uranbah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of October, one thousand nine hundred and thirty-four.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of October, one thousand nine hundred and thirty-four.

(5) (a) Notwithstanding anything contained in the Principal Act, the following provisions shall apply to, and have effect in respect of the Bungunyah-Koraleigh Irrigation Trust:—

The arrears at the twenty-third day of May, one thousand nine hundred and thirty-five, in the payments by the Trust to the Crown in respect of the extensions of the works of the Trust shall be consolidated with the total amount of the costs of the said extensions of the work remaining after the said date to be repaid to the Crown.

The consolidated sum shall be paid to the Crown by the Trust with interest at the rate of four per centum per annum by equal quarterly payments in advance over a period of nineteen years from the twenty-third day of May, one thousand nine hundred and thirty-five.

(b) This subsection shall be deemed to have commenced upon the twenty-third day of May, one thousand nine hundred and thirty-five.

(6) The substitution of the charge made by the Crown to the Milroy Bore Water Trust at the rate of one pound four shillings and ninepence in lieu of one pound seven shillings eightpence and three-tenths of a penny per one thousand gallons of daily flow of the bore as ascertained by an annual measurement for water supplied by the Crown to the said Trust is hereby validated.

(7) The yearly charge to be paid by the Gil Gil Bore Water Trust for water to be supplied by the Crown shall on and after the twenty-eighth day of January, one

Water (Amendment).

one thousand nine hundred and thirty-seven, be thirteen shillings and eleven pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of December, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of December in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(8) (a) The yearly charge to be paid by the Boomi Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds thirteen shillings and four pence and thereafter shall be three shillings and ten pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand nine hundred and thirty-five.

(9) (a) The yearly charge to be paid by the Tulloona Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds and thereafter

Water (Amendment).

thereafter twelve shillings for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand nine hundred and thirty-five.

(10) (a) The yearly charge to be paid by the Euraba Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing on the twenty-ninth day of August, one thousand nine hundred and thirty-five, be one hundred and sixty-seven pounds fifteen shillings and thereafter five shillings and one penny for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the twenty-ninth day of August, one thousand nine hundred and thirty-five.

(11) (a) The yearly charge to be paid by the Lower Quambone Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing
on

Water (Amendment).

on the seventh day of May, one thousand nine hundred and thirty-six, be eighty-seven pounds nine shillings and thereafter at the rate of eleven shillings and five pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of April, one thousand nine hundred and thirty-seven, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of April in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the seventh day of May, one thousand nine hundred and thirty-six.

(12) (a) The yearly charge to be paid by the Moomin Bore Water Trust for water supplied by the Crown is, from the twelfth day of February, one thousand nine hundred and thirty-six, reduced to the rate of seventeen shillings and threepence for every thousand gallons or part thereof in the flow per day of water from the bore as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust. The measurement of the flow shall be made on or as near as practicable to the first day of February in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the first day of February, one thousand nine hundred and thirty-six.

(13) (a) The Gilgooma Bore Water Trust is authorised in lieu of repayment by means of a sinking fund of its debt to the Crown to pay to the Crown for water supplied and to be supplied from the bore a yearly charge of one pound four shillings and threepence for every thousand gallons or part thereof in the flow of
water

Water (Amendment).

water from the bore per day, the said charge for the year commencing on the sixteenth day of January, one thousand nine hundred and thirty-four, to be based on the flow of one hundred and twelve thousand six hundred and seventy-seven gallons per day and thereafter on the flow as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the sixteenth day of December, one thousand nine hundred and thirty-four; and subsequent measurements of such flow to be made on or near as practicable to the sixteenth day of December in each year.

The said yearly charge shall be paid by the said Trust whilst the natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-four.

In the name and on behalf of His Majesty I assent to this Act.

P. W. STREET,
Lieutenant-Governor.

*Government House,
Sydney, 10th July, 1936.*

I hereby certify that the within Bill, which originated in the House-
passed on the 14th day of June, 1864, and the Senate on the 15th day of
the same month, and is now ready for the President's signature.

W. H. SEYMOUR, V.
Speaker of the House of Representatives.

Attest: This 14th day of June, 1864.
J. M. WILSON, Secretary of the House.
J. M. WILSON, Secretary of the Senate.

I have examined the within Bill, and find it to be a true and correct copy
of the original, as the same was presented to me by the Secretary of the
House of Representatives.

WATER (AMENDMENT) BILL.

Schedule of Amendments referred to in Message of 25th June, 1936.

No. 1.—Page 2, clause 2, lines 15 to 20, inclusive. *Omit—*

“(i) by inserting at the commencement of subsection three of section twelve the following words:—

“The period of a license shall be fixed by the Commission provided that”

(ii) by omitting from the same subsection the”
insert—

“by omitting from subsection three of section twelve the”

No. 2.—Page 2, clause 2. *After* line 32 *insert* new paragraphs as follows:—

“(ia) by inserting in the same subsection after the word “Commission” where lastly occurring the words “or the decision of the Land and Valuation Court on appeal”;

(ib) by inserting in the same subsection after the words “prescribed time” the words “or the application be not granted”;

No. 3.—Page 3, clause 2, lines 14 to 16, inclusive. *Omit* “The grant or refusal of any application for the renewal of a license shall be in the absolute discretion of the Commission” *insert—*

“Where the Commission decides that the application for the renewal of a license shall not be granted, or that the renewal of a license shall be subject to a period, terms, limitations and conditions differing from those which were previously attached to the license, the applicant shall within twenty-eight days after the posting to him by the Commission of a notification of the refusal of the application, or of particulars of such period, terms, limitations and conditions, as the case may be, have the right of appeal to the Land and Valuation Court against the decision of the Commission. The decision of the said Court shall be final.

The appeal shall be made as prescribed by rules of Court and be accompanied by a fee of five pounds as security for the costs of the appeal. Notice in the prescribed form of appeal shall be given by the appellant to the Commission with the lodging of the appeal in the Court.”

No. 4.—Page 3, clause 2, line 37. *After* “(3)” *insert* “Subject to the said right of appeal”

No. 5.—Page 4, clause 2. *After* line 18 *insert*

“(5) Unless the appellant and the Commission otherwise agree any appeal under this section shall (subject to the concurrence of the judge of the Land and Valuation Court) be heard at such venue as in the opinion of the judge is as near as conveniently may be to the site of the work in respect of which such appeal has been lodged as aforesaid.”

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY,
and, having this day passed, is now ready for presentation to the
LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 10 June, 1936.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with
Amendments.*

C. H. H. CALVERT,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 25th June, 1936.*

New South Wales.



ANNO PRIMO

EDWARDI VIII REGIS.

Act No. , 1936.

An Act to make further provisions in relation to
licenses granted under Part II of the Water
Act, 1912-1930; to reduce the rate of
interest payable on certain overdue rates;
to exempt certain Trusts from payment of
charges for water; to alter the charges for
water payable by certain other Trusts; to
validate certain matters; to amend the
Water Act, 1912-1930, and certain other
Acts; and for purposes connected there-
with.

3859 75—

BE

NOTE.—The words to be *omitted* are ruled through; those to be *inserted* are
printed in **black letter**.

Water (Amendment).

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

1. (1) This Act may be cited as the "Water (Amend-
ment) Act, 1936," and shall be read and construed with
the Water Act, 1912-1930, as amended by subsequent
Acts.

Short title
and citation.

10 The Water Act, 1912-1930, as so amended, is in this Act
referred to as the Principal Act.

(2) The Principal Act, as amended by this Act,
may be cited as the Water Act, 1912-1936.

2. (1) The Principal Act is amended as follows :—

Amendment
of Act No. 44,
1912.

15 (a) ~~(i) by inserting at the commencement of sub-
section three of section twelve the following
words :—~~

Sec. 12 (3).
(Period of
license.)

"The period of a license shall be fixed by
the Commission provided that"

20 ~~(ii) by omitting from the same subsection the
by omitting from subsection three of section
twelve the words "Railway Commissioners of
New South Wales, the Metropolitan Meat
Industry Board" and by inserting in lieu
thereof the words "Commissioner for Rail-
ways, the Metropolitan Meat Industry
Commissioner";~~

30 (b) (i) by omitting from subsection one of section
fourteen the words "shall subject to such
limitations and conditions as the Commis-
sion may decide" and by inserting in lieu
thereof the word "may";

Sec. 14.
(Renewal
of licenses.)

35 (ia) by inserting in the same subsection after the
word "Commission" where lastly occurring the
words "or the decision of the Land and Valua-
tion Court on appeal";

(ib)

Water (Amendment).

(ib) by inserting in the same subsection, after the words "prescribed time" the words "or the application be not granted";

5

(ii) by omitting from the same subsection the words "Railway Commissioners of New South Wales, the Metropolitan Meat Industry Board" and by inserting in lieu thereof the words "Commissioner for Railways, the Metropolitan Meat Industry Commissioner";

10

(iii) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections:—

15

(2) ~~The grant or refusal of any application for the renewal of a license shall be in the absolute discretion of the Commission.~~

20

Where the Commission decides that the application for the renewal of a license shall not be granted, or that the renewal of a license shall be subject to a period, terms, limitations and conditions differing from those which were previously attached to the license, the applicant shall within twenty-eight days after the posting to him by the Commission of a notification of the refusal of the application, or of particulars of such period, terms, limitations and conditions, as the case may be, have the right of appeal to the Land and Valuation Court against the decision of the Commission. The decision of the said Court shall be final.

25

30

The appeal shall be made as prescribed by rules of Court and be accompanied by a fee of five pounds as security for the costs of the appeal. Notice in the prescribed form of appeal shall be given by the appellant to the Commission with the lodging of the appeal in the Court.

35

(3) Subject to the said right of appeal a renewal of a license may be subject to such terms, limitations and conditions

as

Water (Amendment).

as the Commission deems expedient in the public interest; and, without prejudice to the generality of the foregoing provisions of this subsection, such terms, limitations and conditions may include—

- (a) a limitation or reduction of the area of land which may be irrigated by water obtained by the licensed work;
- (b) a provision allowing any alteration in the licensed work which does not increase the quantity of the water conserved or obtained thereby.

(4) This section shall apply to and in respect of licenses granted or renewed before the commencement of the Water (Amendment) Act, 1936, as well as to licenses granted or renewed after such commencement.

(5) Unless the appellant and the Commission otherwise agree any appeal under this section shall (subject to the concurrence of the judge of the Land and Valuation Court) be heard at such venue as in the opinion of the judge is as near as conveniently may be to the site of the work in respect of which such appeal has been lodged as aforesaid.

(c) by omitting section 55B and by inserting in lieu thereof the following section:—

55B. (1) Overdue rates and charges payable to a trust shall be increased in accordance with this section.

(2) If the rates or charges are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred and thirty-six and at the rate of five per centum per annum in respect of any period after the thirtieth day of June one thousand nine

Substituted
Sec. 55B.
(Interest on
overdue rates
and charges.)

Water (Amendment).

nine hundred and thirty-six. The increase shall be deemed to be part of the rates or charges as the case may be.

5 (3) The calculation under subsection two of this section shall be made in respect only of as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

10 (4) If in any case the percentage is less than threepence the increase shall be threepence.

15 (5) The increase in the rates or charges under this section shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

(d) (i) by omitting from subsection one of section 20 one hundred and thirty-nine the words "after the first day of July, but not later than the thirtieth day of September in each year";

(ii) by inserting in the same subsection after the word "assess" the words "during that year";

25 (iii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection:—

30 (2) (a) Overdue rates and charges for water assessed under subsection one of this section or under section 139A of this Act shall be increased in accordance with this subsection.

35 (b) If the rates or charges so assessed are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred and thirty-six and at the rate of 40 five

Water (Amendment).

five per centum per annum in respect of any period after the thirtieth day of June one thousand nine hundred and thirty-six.

5 Any increase under this paragraph shall be deemed to be part of the rates or charges as the case may be.

10 (c) The calculation under paragraph (b) of this subsection shall be made in respect only of as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

15 (d) If in any case the percentage is less than threepence the increase shall be threepence.

20 (e) The increase in the rates or charges under this subsection shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

(e) by inserting next after section one hundred and thirty-nine the following new section:—

25 139A. (1) Before fixing the rates or charges for water in respect of any year the Commission may, in respect of that year and in respect of each holding, make a provisional assessment in accordance with the provisions of this Part of the rates or charges for water within a district or provisional district. Provisional assessments.

30 (2) Such provisional assessment shall be made on the basis of an amount by way of rate or charge to be determined by the Commission which amount shall not exceed—

35 (a) where the provisional assessment is made in respect of any year during the period from the date of the constitution of the provisional

Water (Amendment).

5 provisional district to the thirtieth day of June next following the fifth anniversary of the constitution of the district—one half of the rates and charges notified under section one hundred and thirty-one of this Act or any amended rates and charges fixed by a proclamation under the provisions of section one hundred and thirty-two of this Act; or

10 (b) where the provisional assessment is made in respect of any year after the expiration of the said period—one half the rates and charges fixed in respect of the next preceding year.

15 (3) The rates and charges so provisionally assessed shall be notified and paid as prescribed.

20 (4) The provisions of subsections two and three of section one hundred and thirty-nine and of section one hundred and forty-three of this Act shall apply to and in respect of the rates and charges so provisionally assessed in like manner and to the same extent as they apply to rates and charges assessed under subsection
25 one of section one hundred and thirty-nine of this Act.

30 (5) Where provisional assessments have been made under this section in respect of any year, and any amount has been paid in or towards satisfaction of the rates and charges so provisionally assessed in respect of any holding, such amount shall, when the rates and charges have been assessed for that year, pursuant to subsection one of section one hundred
35 and thirty-nine of this Act, be credited against the rates and charges so assessed in respect of that holding.

(f)

Water (Amendment).

- (f) (i) by omitting from the matter relating to Part I in section one the symbols "ss. 1-4" and by inserting in lieu thereof the symbols "ss. 1-4A";
- 5 (ii) by inserting in the same section after the words and symbols "DIVISION 3.—*Licenses*—ss. 10-18," the words and symbols—
- DIVISION 3A.—*Priority of right to the appropriation of water*—ss. 18A-18E.
- 10 DIVISION 3B.—*Permits*—ss. 18F-18Q.
- (iii) by omitting from the same section the words "*Works constructed by the Crown*" and by inserting in lieu thereof the words "*Private irrigation schemes*";
- 15 (iv) by omitting from the matter under Part IV in the same section the word "Interpretation" and by inserting in lieu thereof the word "Preliminary";
- (v) by omitting from the matter under Part V in the same section the figures "112-118" and by inserting in lieu thereof the figures "111A-118";
- 20 (vi) by inserting at the end of the same section the following words and symbols:—
- 25 PART VI.—DOMESTIC AND STOCK WATER SUPPLY DISTRICTS AND DOMESTIC AND STOCK WATER SUPPLY AND IRRIGATION DISTRICTS.—ss. 130-149.
- SCHEDULES.
- 30 (vii) by omitting from paragraph (k) of subsection one of section seventy-four the word "proceeds" and by inserting in lieu thereof the word "proceedings."
- (2) The Water (Amendment) Act, 1916, is amended
- 35 by omitting paragraph (a) of section two.
- (3)

Sec. 1.
(Correc-
tions.)

Sec. 74.
(Correc-
tion.)

Amendment of
Act No. 48,
1916, s. 2.
(Statute law
revision.)

Water (Amendment).

(3) The Commission may reduce the charges or rates fixed by it under the provisions of Part VI of the Principal Act for the year commencing on the first day of July, one thousand nine hundred and thirty-five, in respect of the Benerembah Provisional Domestic and Stock Water Supply and Irrigation District and the Tabbita Domestic and Stock Water Supply and Irrigation District. Benerembah
and Tabbita.

In the event of the Commission making the reduction the difference between the reduced amount and the amount originally fixed by the Commission paid by any owner shall be set off against any further sum to become payable by him under the provisions of Part VI of the Principal Act.

15 **3.** (1) (a) The Walgett Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the twentieth day of June, one thousand nine hundred and thirty-five. Validations,
exemptions,
alterations,
etc.

20 (b) This subsection shall be deemed to have commenced upon the twentieth day of June, one thousand nine hundred and thirty-five.

(2) (a) The Youendah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of July, one thousand nine hundred and thirty-five.

30 (b) This subsection shall be deemed to have commenced upon the sixteenth day of July, one thousand nine hundred and thirty-five.

35 (3) (a) The Brewon Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of January, one thousand nine hundred and thirty-three.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-three.

(4)

Water (Amendment).

(4) (a) The Uranbah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of October, one thousand nine hundred and thirty-four.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of October, one thousand nine hundred and thirty-four.

(5) (a) Notwithstanding anything contained in the Principal Act, the following provisions shall apply to, and have effect in respect of the Bungunyah-Koraleigh Irrigation Trust:—

The arrears at the twenty-third day of May, one thousand nine hundred and thirty-five, in the payments by the Trust to the Crown in respect of the extensions of the works of the Trust shall be consolidated with the total amount of the costs of the said extensions of the work remaining after the said date to be repaid to the Crown.

The consolidated sum shall be paid to the Crown by the Trust with interest at the rate of four per centum per annum by equal quarterly payments in advance over a period of nineteen years from the twenty-third day of May, one thousand nine hundred and thirty-five.

(b) This subsection shall be deemed to have commenced upon the twenty-third day of May, one thousand nine hundred and thirty-five.

(6) The substitution of the charge made by the Crown to the Milroy Bore Water Trust at the rate of one pound four shillings and ninepence in lieu of one pound seven shillings eightpence and three-tenths of a penny per one thousand gallons of daily flow of the bore as ascertained by an annual measurement for water supplied by the Crown to the said Trust is hereby validated.

(7) The yearly charge to be paid by the Gil Gil Bore Water Trust for water to be supplied by the Crown shall on and after the twenty-eighth day of January,

Water (Amendment).

one thousand nine hundred and thirty-seven, be thirteen shillings and eleven pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation

- 5 Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of December, one thousand nine hundred and thirty-six, and subsequent
10 measurements of such flow shall be made on or as near as practicable to the first day of December in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

- (8) (a) The yearly charge to be paid by the Boomi
15 Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds thirteen shillings and four pence and thereafter shall be three
20 shillings and ten pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

- 25 The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

- 30 The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand nine hundred and thirty-five.

- 35 (9) (a) The yearly charge to be paid by the Tulloona Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds and
thereafter

Water (Amendment).

thereafter twelve shillings for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the
5 said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as
10 practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand
15 nine hundred and thirty-five.

(10) (a) The yearly charge to be paid by the Euraba Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing on the twenty-ninth day of August, one thousand nine
20 hundred and thirty-five, be one hundred and sixty-seven pounds fifteen shillings and thereafter five shillings and one penny for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation
25 Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent
30 measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the twenty-ninth day of August, one
35 thousand nine hundred and thirty-five.

(11) (a) The yearly charge to be paid by the Lower Quambone Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing
on

Water (Amendment).

on the seventh day of May, one thousand nine hundred and thirty-six, be eighty-seven pounds nine shillings and thereafter at the rate of eleven shillings and five pence for every thousand gallons or part thereof in the flow
5 of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of April, one thousand
10 nine hundred and thirty-seven, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of April in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

15 (b) This subsection shall be deemed to have commenced upon the seventh day of May, one thousand nine hundred and thirty-six.

(12) (a) The yearly charge to be paid by the Moomin Bore Water Trust for water supplied by the Crown is,
20 from the twelfth day of February, one thousand nine hundred and thirty-six, reduced to the rate of seventeen shillings and threepence for every thousand gallons or part thereof in the flow per day of water from the bore as ascertained by the Water Conservation and Irrigation
25 Commission by measurement and notified by it to the said Trust. The measurement of the flow shall be made on or as near as practicable to the first day of February in each year.

The said yearly charge shall be paid by the said Trust
30 whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the first day of February, one thousand nine hundred and thirty-six.

(13) (a) The Gilgooma Bore Water Trust is
35 authorised in lieu of repayment by means of a sinking fund of its debt to the Crown to pay to the Crown for water supplied and to be supplied from the bore a yearly charge of one pound four shillings and threepence for every thousand gallons or part thereof in the flow of

water

Water (Amendment).

water from the bore per day, the said charge for the year commencing on the sixteenth day of January, one thousand nine hundred and thirty-four, to be based on the flow of one hundred and twelve thousand six hundred
 5 and seventy-seven gallons per day and thereafter on the flow as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

10 The first measurement of the flow shall be made on or as near as practicable to the sixteenth day of December, one thousand nine hundred and thirty-four; and subsequent measurements of such flow to be made on or near as practicable to the sixteenth day of December in each year.

15 The said yearly charge shall be paid by the said Trust whilst the natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-four.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 10 June, 1936.*

New South Wales.



ANNO PRIMO

EDWARDI VIII REGIS.

Act No. , 1936.

An Act to make further provisions in relation to licenses granted under Part II of the Water Act, 1912-1930; to reduce the rate of interest payable on certain overdue rates; to exempt certain Trusts from payment of charges for water; to alter the charges for water payable by certain other Trusts; to validate certain matters; to amend the Water Act, 1912-1930, and certain other Acts; and for purposes connected therewith.

Water (Amendment).

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Water (Amendment) Act, 1936," and shall be read and construed with the Water Act, 1912-1930, as amended by subsequent Acts.

Short title
and citation.

10 The Water Act, 1912-1930, as so amended, is in this Act referred to as the Principal Act.

(2) The Principal Act, as amended by this Act, may be cited as the Water Act, 1912-1936.

2. (1) The Principal Act is amended as follows :—

Amendment
of Act No. 44,
1912.

15 (a) (i) by inserting at the commencement of subsection three of section twelve the following words :—

Sec. 12 (3).
(Period of
license.)

"The period of a license shall be fixed by the Commission provided that"

20 (ii) by omitting from the same subsection the words "Railway Commissioners of New Wales, the Metropolitan Meat Industry Board" and by inserting in lieu thereof the words "Commissioner for Railways, the Metropolitan Meat Industry Commis-

25 sioner";

(b) (i) by omitting from subsection one of section fourteen the words "shall subject to such limitations and conditions as the Commission may decide" and by inserting in lieu thereof the word "may";

Sec. 14.
(Renewal
of licenses.)

30 (ii) by omitting from the same subsection the words "Railway Commissioners of New South Wales, the Metropolitan Meat Industry Board" and by inserting in lieu thereof the words "Commissioner for Railways, the Metropolitan Meat Industry Commis-

35 sioner";

(iii)

Water (Amendment).

(iii) by omitting subsection two of the same section, and by inserting in lieu thereof the following subsections:—

5 (2) The grant or refusal of any application for the renewal of a license shall be in the absolute discretion of the Commission.

10 (3) A renewal of a license may be subject to such terms, limitations and conditions as the Commission deems expedient in the public interest; and, without prejudice to the generality of the foregoing provisions of this subsection, such terms, limitations and conditions may include—

15 (a) a limitation or reduction of the area of land which may be irrigated by water obtained by the licensed work;

(b) a provision allowing any alteration in the licensed work which does not increase the quantity of the water conserved or obtained thereby.

20 (4) This section shall apply to and in respect of licenses granted or renewed before the commencement of the Water (Amendment) Act, 1936, as well as to licenses granted or renewed after such commencement.

25 (c) By omitting section 55B and by inserting in lieu thereof the following section:—

30 55B. (1) Overdue rates and charges payable to a trust shall be increased in accordance with this section.

35 (2) If the rates or charges are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred and thirty-six and at the rate of five per centum per annum in respect of any period after

Substituted
Sec. 55B.
(Interest on
overdue rates
and charges.)

Water (Amendment).

after the thirtieth day of June one thousand nine hundred and thirty-six. The increase shall be deemed to be part of the rates or charges as the case may be.

(3) The calculation under subsection two of this section shall be made in respect only of as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

(4) If in any case the percentage is less than threepence the increase shall be threepence.

(5) The increase in the rates or charges under this section shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

(d) (i) by omitting from subsection one of section one hundred and thirty-nine the words "after the first day of July, but not later than the thirtieth day of September in each year";

Sec. 139.
(Assessment of rates and charges.)

(ii) by inserting in the same subsection after the word "assess" the words "during that year";

(iii) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection:—

(2) (a) Overdue rates and charges for water assessed under subsection one of this section or under section 139A of this Act shall be increased in accordance with this subsection.

(b) If the rates or charges so assessed are unpaid at the expiration of three months after the due date of payment the amount due shall be increased by a sum calculated at the rate of seven per centum per annum in respect of any period prior to the first day of July one thousand nine hundred

Water (Amendment).

hundred and thirty-six and at the rate of five per centum per annum in respect of any period after the thirtieth day of June one thousand nine hundred and thirty-six.

5 Any increase under this paragraph shall be deemed to be part of the rates or charges as the case may be.

10 (c) The calculation under paragraph (b) of this subsection shall be made in respect only of as many complete months as have expired between the date on which the payment became due and the date of payment excluding any remaining portion of a month.

15 (d) If in any case the percentage is less than threepence the increase shall be threepence.

20 (e) The increase in the rates or charges under this subsection shall continue to apply to all unpaid rates or charges notwithstanding that judgment for same may have been obtained in any Court including the District Court.

25 (e) by inserting next after section one hundred and thirty-nine the following new section:— New s. 139A.

30 139A. (1) Before fixing the rates or charges for water in respect of any year the Commission may, in respect of that year and in respect of each holding, make a provisional assessment in accordance with the provisions of this Part of the rates or charges for water within a district or provisional district. Provisional assessments.

35 (2) Such provisional assessment shall be made on the basis of an amount by way of rate or charge to be determined by the Commission which amount shall not exceed—

(a) where the provisional assessment is made in respect of any year during the period from

Water (Amendment).

5 from the date of the constitution of the
provisional district to the thirtieth day
of June next following the fifth anniver-
sary of the constitution of the district—
one half of the rates and charges notified
under section one hundred and thirty-one
of this Act or any amended rates and
charges fixed by a proclamation under the
provisions of section one hundred and
10 thirty-two of this Act; or

(b) where the provisional assessment is made
in respect of any year after the expira-
tion of the said period—one half the rates
and charges fixed in respect of the next
15 preceding year.

(3) The rates and charges so provision-
ally assessed shall be notified and paid as pre-
scribed.

20 (4) The provisions of subsections two
and three of section one hundred and thirty-nine
and of section one hundred and forty-three of
this Act shall apply to and in respect of the rates
and charges so provisionally assessed in like
manner and to the same extent as they apply
25 to rates and charges assessed under subsection
one of section one hundred and thirty-nine of
this Act.

30 (5) Where provisional assessments
have been made under this section in respect
of any year, and any amount has been paid in
or towards satisfaction of the rates and charges
so provisionally assessed in respect of any hold-
ing, such amount shall, when the rates and
charges have been assessed for that year, pur-
35 suant to subsection one of section one hundred
and thirty-nine of this Act, be credited against
the rates and charges so assessed in respect of
that holding.

(f) 36

Water (Amendment).

- (f) (i) by omitting from the matter relating to Part I in section one the symbols "ss. 1-4" and by inserting in lieu thereof the symbols "ss. 1-4A"; Sec. 1.
(Correc-
tions.)
- 5 (ii) by inserting in the same section after the words and symbols "DIVISION 3.—*Licenses*—ss. 10-18," the words and symbols—

DIVISION 3A.—*Priority of right to the appropriation of water*—ss. 18A-18E.
- 10 DIVISION 3B.—*Permits*—ss. 18F-18Q.
- (iii) by omitting from the same section the words "*Works constructed by the Crown*" and by inserting in lieu thereof the words "*Private irrigation schemes*";
- 15 (iv) by omitting from the matter under Part IV in the same section the word "Interpretation" and by inserting in lieu thereof the word "Preliminary";
- 20 (v) by omitting from the matter under Part V in the same section the figures "112-118" and by inserting in lieu thereof the figures "111A-118";
- (vi) by inserting at the end of the same section the following words and symbols:—
- 25 PART VI.—DOMESTIC AND STOCK WATER
SUPPLY DISTRICTS AND DOMESTIC AND
STOCK WATER SUPPLY AND IRRIGATION
DISTRICTS.—ss. 130-149.
- SCHEDULES.
- 30 (vii) by omitting from paragraph (k) of subsection one of section seventy-four the word "proceeds" and by inserting in lieu thereof the word "proceedings." Sec. 74.
(Correc-
tion.)
- (2) The Water (Amendment) Act, 1916, is amended
35 by omitting paragraph (a) of section two. Amendment of
Act No. 48,
1916, s. 2.
(Statute law
revision.)
- (3)

Water (Amendment).

(3) The Commission may reduce the charges or rates fixed by it under the provisions of Part VI of the Principal Act for the year commencing on the first day of July, one thousand nine hundred and thirty-five, in respect of the Benerembah Provisional Domestic and Stock Water Supply and Irrigation District and the Tabbita Domestic and Stock Water Supply and Irrigation District. Benerembah and Tabbita.

In the event of the Commission making the reduction the difference between the reduced amount and the amount originally fixed by the Commission paid by any owner shall be set off against any further sum to become payable by him under the provisions of Part VI of the Principal Act.

15 **3.** (1) (a) The Walgett Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the twentieth day of June, one thousand nine hundred and thirty-five. Validations, exemptions, alterations, etc.

20 (b) This subsection shall be deemed to have commenced upon the twentieth day of June, one thousand nine hundred and thirty-five.

(2) (a) The Youendah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of July, one thousand nine hundred and thirty-five.

30 (b) This subsection shall be deemed to have commenced upon the sixteenth day of July, one thousand nine hundred and thirty-five.

35 (3) (a) The Brewon Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of January, one thousand nine hundred and thirty-three.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-three.

(4)

Water (Amendment).

(4) (a) The Uranbah Bore Water Trust is relieved of its obligation to pay any charge for water supplied to it by the Crown other than charges which became due and payable by that Trust on or before the sixteenth day of October, one thousand nine hundred and thirty-four.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of October, one thousand nine hundred and thirty-four.

(5) (a) Notwithstanding anything contained in the Principal Act, the following provisions shall apply to, and have effect in respect of the Bungunyah-Koraleigh Irrigation Trust:—

The arrears at the twenty-third day of May, one thousand nine hundred and thirty-five, in the payments by the Trust to the Crown in respect of the extensions of the works of the Trust shall be consolidated with the total amount of the costs of the said extensions of the work remaining after the said date to be repaid to the Crown.

The consolidated sum shall be paid to the Crown by the Trust with interest at the rate of four per centum per annum by equal quarterly payments in advance over a period of nineteen years from the twenty-third day of May, one thousand nine hundred and thirty-five.

(b) This subsection shall be deemed to have commenced upon the twenty-third day of May, one thousand nine hundred and thirty-five.

(6) The substitution of the charge made by the Crown to the Milroy Bore Water Trust at the rate of one pound four shillings and ninepence in lieu of one pound seven shillings eightpence and three-tenths of a penny per one thousand gallons of daily flow of the bore as ascertained by an annual measurement for water supplied by the Crown to the said Trust is hereby validated.

(7) The yearly charge to be paid by the Gil Gil Bore Water Trust for water to be supplied by the Crown shall on and after the twenty-eighth day of January,

on?

Water (Amendment).

one thousand nine hundred and thirty-seven, be thirteen shillings and eleven pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of December, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of December in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(8) (a) The yearly charge to be paid by the Boomi Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds thirteen shillings and four pence and thereafter shall be three shillings and ten pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand nine hundred and thirty-five.

(9) (a) The yearly charge to be paid by the Tulloona Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing the second day of October, one thousand nine hundred and thirty-five, be one hundred and sixty-eight pounds and thereafter

Water (Amendment).

thereafter twelve shillings for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the
5 said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent measurements of such flow shall be made on or as near as
10 practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the second day of October, one thousand
15 nine hundred and thirty-five.

(10) (a) The yearly charge to be paid by the Euraba Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing on the twenty-ninth day of August, one thousand nine
20 hundred and thirty-five, be one hundred and sixty-seven pounds fifteen shillings and thereafter five shillings and one penny for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation
25 Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of August, one thousand nine hundred and thirty-six, and subsequent
30 measurements of such flow shall be made on or as near as practicable to the first day of August in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the twenty-ninth day of August, one
35 thousand nine hundred and thirty-five.

(11) (a) The yearly charge to be paid by the Lower Quambone Bore Water Trust for water supplied and to be supplied by the Crown shall for the year commencing

on

Water (Amendment).

on the seventh day of May, one thousand nine hundred and thirty-six, be eighty-seven pounds nine shillings and thereafter at the rate of eleven shillings and five pence for every thousand gallons or part thereof in the flow of water from the bore per day as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

The first measurement of the flow shall be made on or as near as practicable to the first day of April, one thousand nine hundred and thirty-seven, and subsequent measurements of such flow shall be made on or as near as practicable to the first day of April in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

15 (b) This subsection shall be deemed to have commenced upon the seventh day of May, one thousand nine hundred and thirty-six.

(12) (a) The yearly charge to be paid by the Moomin Bore Water Trust for water supplied by the Crown is, from the twelfth day of February, one thousand nine hundred and thirty-six, reduced to the rate of seventeen shillings and threepence for every thousand gallons or part thereof in the flow per day of water from the bore as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust. The measurement of the flow shall be made on or as near as practicable to the first day of February in each year.

The said yearly charge shall be paid by the said Trust whilst a natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the first day of February, one thousand nine hundred and thirty-six.

(13) (a) The Gilgooma Bore Water Trust is authorised in lieu of repayment by means of a sinking fund of its debt to the Crown to pay to the Crown for water supplied and to be supplied from the bore a yearly charge of one pound four shillings and threepence for every thousand gallons or part thereof in the flow of water

Water (Amendment).

water from the bore per day, the said charge for the year commencing on the sixteenth day of January, one thousand nine hundred and thirty-four, to be based on the flow of one hundred and twelve thousand six hundred and seventy-seven gallons per day and thereafter on the flow as ascertained by the Water Conservation and Irrigation Commission by measurement and notified by it to the said Trust.

10 The first measurement of the flow shall be made on or as near as practicable to the sixteenth day of December, one thousand nine hundred and thirty-four; and subsequent measurements of such flow to be made on or near as practicable to the sixteenth day of December in each year.

15 The said yearly charge shall be paid by the said Trust whilst the natural flow continues from the bore outlet.

(b) This subsection shall be deemed to have commenced upon the sixteenth day of January, one thousand nine hundred and thirty-four.

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The Board of Directors of the American Association
and Institute of the Deaf, in its report to the
Legislative Assembly for the year 1900.

By the Board,
J. H. McLaughlin, Secretary.

Report of the Board of Directors
for the year 1900.

1901

Report of the
Board of Directors
for the year 1900.

Under Act 101-1000, and certain other
Acts, the Board has received there-
with

BE