

New South Wales.



ANNO NONO

GEORGIUS VI REGIS.

Act No. 29, 1945.

An Act to amend the Broken Hill Water and Sewerage Act, 1938-1941, in certain respects; and for purposes connected therewith. [Assented to, 22nd October, 1945.]

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 "Broken Hill Short title. Water and Sewerage (Amendment) Act, 1945."

(2) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1945.

Broken Hill Water and Sewerage (Amendment).

Amendment of
Act No. 20,
1938.

2. The Broken Hill Water and Sewerage Act, 1938-1941, is amended—

New sec. 8A.

(a) by inserting next after section eight the following new section:—

Travelling
expenses.
cf. Act No.
41, 1919,
s. 28.

8A. (1) The board may pay to or on behalf of its members reasonable allowances towards their necessary out-of-pocket expenses for conveyance and subsistence in travelling—

(a) to and from the meetings of the board, or the meetings of any committee of the board;

(b) upon inspections within the area of operations, provided such inspections are undertaken in compliance with resolutions of the board passed beforehand;

(c) upon business of the board outside the area of operations in compliance with a resolution of the board.

(2) Allowances under this section shall not exceed such amount as may be prescribed by the regulations.

(3) This section shall be deemed to have commenced on the twenty-third day of December, one thousand nine hundred and thirty-eight.

Sec. 36.
(Connec-
tions to
water or
sewer
mains.)

(b) (i) by inserting in subsections four, six and seven of section thirty-six next before the word "main" wherever occurring the word "sewer";

(ii) by inserting next after subsection seven of the same section the following new subsection:—

(7A) Such terms and conditions may include provision for the payment to the board of interest at such rate as may be fixed by the board upon moneys due to the board under any such agreement. The amount of interest payable under this subsection

Broken Hill Water and Sewerage (Amendment).

subsection shall be an amount which bears to the interest payable by the board on the loan raised under paragraph (d) of subsection one of section sixty of this Act for making connections to sewer mains including the connections subject to such agreement and the costs and expenses of the board in raising, administering and repaying such loan, the same ratio as the moneys due to the board under such agreement bears to the amount of such loan and such costs and expenses.

- (c) by inserting next after section thirty-six the following new section:—

New sec.
36A.

36A. (1) (a) The board, at its own expense, shall provide, lay and instal the water pipes and necessary fittings between any water main (whether laid before or after the commencement of this section) with which premises are to be connected and the point upon such premises at which a water meter is or is to be installed and carry out all work connected therewith.

Water pipes
and fittings
between
water mains
and
premises.

(b) Any water pipe provided by the board under paragraph (a) of this subsection shall not be deemed to be a water pipe of the board for the purposes of paragraph (a) of section seventy-seven of this Act.

(2) The board, at its own expense, shall maintain, repair, renew, and carry out any alterations to any water pipes and necessary fittings upon any premises between any water main (whether laid before or after the commencement of this section) and the point upon such premises at which a water meter is or is to be installed.

(3) In the case of a water main laid after the commencement of this section the water pipes and necessary fittings to be provided by the board under subsection one of this section shall as far as practicable be laid and installed when the water main is laid.

(4)

Broken Hill Water and Sewerage (Amendment).

(4) This section shall be deemed to have commenced on the twenty-first day of September, one thousand nine hundred and forty-three.

Sec. 60.
(Purposes
for which
money may
be
borrowed.)

- (d) (i) by omitting from paragraph (b) of subsection one of section sixty the word "and";
(ii) by inserting at the end of the same subsection the following word and new paragraph:—
"and

(d) making connections to sewer mains pursuant to subsection seven of section thirty-six of this Act."

First
Schedule.
New clause
30A.

- (e) by inserting in the First Schedule next after clause thirty the following new clause:—

30A. Rates, charges and fees shall not be abandoned or written off the books of account of the board except in accordance with a regulation in that behalf and then only upon the certificate of the Auditor-General that the abandonment or writing off is in accordance with such regulation.

Writing off
of certain
sewerage
rates.

3. (1) The Broken Hill Water Board may, with the approval of the Colonial Treasurer and subject to such conditions as he may from time to time impose, by resolution direct the writing off of any sewerage rates, or any part thereof owing by any owner who establishes, to the satisfaction of the Broken Hill Water Board, that he has been unable, by reason of shortage of labour or material attributable to the present war, to connect his premises to a sewer main.

In this subsection "the present war" means the war in which His Majesty is engaged and which commenced on the third day of September, one thousand nine hundred and thirty-nine.

(2) Sewerage rates directed to be written off pursuant to subsection one of this section shall not be recoverable and shall cease to be a charge on the land in respect of which the rate notice was served as from the date of the resolution directing such writing off.

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1945.

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, 17 October, 1945.*

New South Wales.



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GEORGII VI REGIS.

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1. (1) This Act may be cited as the "Broken Hill Short title. Water and Sewerage (Amendment) Act, 1945."

(2) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1945.

2.

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

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Broken Hill Water and Sewerage (Amendment).

Amendment of
Act No. 20,
1938.

2. The Broken Hill Water and Sewerage Act, 1938-1941, is amended—

New sec. 8A.

(a) by inserting next after section eight the following new section:—

Travelling
expenses.
cf. Act No.
41, 1919,
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8A. (1) The board may pay to or on behalf of its members reasonable allowances towards their necessary out-of-pocket expenses for conveyance and subsistence in travelling—

(a) to and from the meetings of the board, or the meetings of any committee of the board;

(b) upon inspections within the area of operations, provided such inspections are undertaken in compliance with resolutions of the board passed beforehand;

(c) upon business of the board outside the area of operations in compliance with a resolution of the board.

(2) Allowances under this section shall not exceed such amount as may be prescribed by the regulations.

(3) This section shall be deemed to have commenced on the twenty-third day of December, one thousand nine hundred and thirty-eight.

Sec. 36.
(Connections to
water or
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mains.)

(b) (i) by inserting in subsections four, six and seven of section thirty-six next before the word "main" wherever occurring the word "sewer";

(ii) by inserting next after subsection seven of the same section the following new subsection:—

(7A) Such terms and conditions may include provision for the payment to the board of interest at such rate as may be fixed by the board upon moneys due to the board under any such agreement. The amount of interest payable under this subsection

Broken Hill Water and Sewerage (Amendment).

subsection shall be an amount which bears to the interest payable by the board on the loan raised under paragraph (d) of subsection one of section sixty of this Act for making connections to sewer mains including the connections subject to such agreement and the costs and expenses of the board in raising, administering and repaying such loan, the same ratio as the moneys due to the board under such agreement bears to the amount of such loan and such costs and expenses.

- (c) by inserting next after section thirty-six the following new section:—

New sec.
36A.

36A. (1) (a) The board, at its own expense, shall provide, lay and instal the water pipes and necessary fittings between any water main (whether laid before or after the commencement of this section) with which premises are to be connected and the point upon such premises at which a water meter is or is to be installed and carry out all work connected therewith.

Water pipes
and fittings
between
water mains
and
premises.

(b) Any water pipe provided by the board under paragraph (a) of this subsection shall not be deemed to be a water pipe of the board for the purposes of paragraph (a) of section seventy-seven of this Act.

(2) The board, at its own expense, shall maintain, repair, renew, and carry out any alterations to any water pipes and necessary fittings upon any premises between any water main (whether laid before or after the commencement of this section) and the point upon such premises at which a water meter is or is to be installed.

(3) In the case of a water main laid after the commencement of this section the water pipes and necessary fittings to be provided by the board under subsection one of this section shall as far as practicable be laid and installed when the water main is laid.

(4)

Broken Hill Water and Sewerage (Amendment).

(4) This section shall be deemed to have commenced on the twenty-first day of September, one thousand nine hundred and forty-three.

Sec. 60.
(Purposes
for which
money may
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- (d) (i) by omitting from paragraph (b) of subsection one of section sixty the word "and";
(ii) by inserting at the end of the same subsection the following word and new paragraph:—
"and

(d) making connections to sewer mains pursuant to subsection seven of section thirty-six of this Act."

First
Schedule.
New clause
30A.

- (e) by inserting in the First Schedule next after clause thirty the following new clause:—

30A. Rates, charges and fees shall not be abandoned or written off the books of account of the board except in accordance with a regulation in that behalf and then only upon the certificate of the Auditor-General that the abandonment or writing off is in accordance with such regulation.

Writing off
of certain
sewerage
rates.

3. (1) The Broken Hill Water Board may, with the approval of the Colonial Treasurer and subject to such conditions as he may from time to time impose, by resolution direct the writing off of any sewerage rates, or any part thereof owing by any owner who establishes, to the satisfaction of the Broken Hill Water Board, that he has been unable, by reason of shortage of labour or material attributable to the present war, to connect his premises to a sewer main.

In this subsection "the present war" means the war in which His Majesty is engaged and which commenced on the third day of September, one thousand nine hundred and thirty-nine.

(2) Sewerage rates directed to be written off pursuant to subsection one of this section shall not be recoverable and shall cease to be a charge on the land in respect of which the rate notice was served as from the date of the resolution directing such writing off.

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

F. R. JORDAN,
Lieutenant-Governor.

*Government House,
Sydney, 22nd October, 1945.*

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, 27 September, 1945.

New South Wales.



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GEORGII VI REGIS.

Act No. , 1945.

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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 "Broken Hill Short title. Water and Sewerage (Amendment) Act, 1945."

(2) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1945.

Broken Hill Water and Sewerage (Amendment).

2. The Broken Hill Water and Sewerage Act, 1938-1941, is amended—

Amendment of Act No. 20, 1938.

(a) by inserting next after section eight the following new section:—

New sec. 8A.

5 8A. (1) The board may pay to or on behalf of its members reasonable allowances towards their necessary out-of-pocket expenses for conveyance and subsistence in travelling—

Travelling expenses. cf. Act No. 41, 1919, s. 28.

10 (a) to and from the meetings of the board, or the meetings of any committee of the board;

15 (b) upon inspections within the area of operations, provided such inspections are undertaken in compliance with resolutions of the board passed beforehand;

 (c) upon business of the board outside the area of operations in compliance with a resolution of the board.

20 (2) Allowances under this section shall not exceed such amount as may be prescribed by the regulations.

25 (3) This section shall be deemed to have commenced on the twenty-third day of December, one thousand nine hundred and thirty-eight.

(b) (i) by inserting in subsections four, six and seven of section thirty-six next before the word "main" wherever occurring the word "sewer";

Sec. 36. (Connections to water or sewer mains.)

30 (ii) by inserting next after subsection seven of the same section the following new subsection:—

35 (7A) Such terms and conditions may include provision for the payment to the board of interest at such rate as may be fixed by the board upon moneys due to the board under any such agreement. The amount of interest payable under this subsection

Broken Hill Water and Sewerage (Amendment).

5 subsection shall be an amount which bears
 to the interest payable by the board on the
 loan raised under paragraph (d) of subsec-
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 making connections to sewer mains includ-
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 ment and the costs and expenses of the
 board in raising, administering and repay-
 ing such loan, the same ratio as the moneys
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 to the amount of such loan and such costs
 and expenses.

(c) by inserting next after section thirty-six the following new section:—

New sec.
36A.

15 36A. (1) (a) The board, at its own expense,
 shall provide, lay and instal the water pipes
 and necessary fittings between any water main
 (whether laid before or after the commencement
 of this section) with which premises are to be
 20 connected and the point upon such premises at
 which a water meter is or is to be installed and
 carry out all work connected therewith.

Water pipes
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(b) Any water pipe provided by
 the board under paragraph (a) of this subsec-
 25 tion shall not be deemed to be a water pipe of
 the board for the purposes of paragraph (a) of
 section seventy-seven of this Act.

(2) The board, at its own expense, shall
 30 maintain, repair, renew, and carry out any
 alterations to any water pipes and necessary
 fittings upon any premises between any water
 main (whether laid before or after the commence-
 ment of this section) and the point upon such
 premises at which a water meter is or is to be
 35 installed.

(3) In the case of a water main laid after
 the commencement of this section the water pipes
 and necessary fittings to be provided by the
 board under subsection one of this section shall
 40 as far as practicable be laid and installed when
 the water main is laid.

(4)

Broken Hill Water and Sewerage (Amendment).

- (4) This section shall be deemed to have commenced on the twenty-first day of September, one thousand nine hundred and forty-three.
- 5 (d) (i) by omitting from paragraph (b) of subsection one of section sixty the word "and"; (Sec. 60. (Purposes for which money may be borrowed.)
- (ii) by inserting at the end of the same subsection the following word and new paragraph:—
"and
- 10 (d) making connections to sewer mains pursuant to subsection seven of section thirty-six of this Act."
- (e) by inserting in the First Schedule next after clause thirty the following new clause:— (First Schedule. New clause 30A.)
- 15 30A. Rates, charges and fees shall not be abandoned or written off the books of account of the board except in accordance with a regulation in that behalf and then only upon
- 20 the certificate of the Auditor-General that the abandonment or writing off is in accordance with such regulation.
3. (1) The Broken Hill Water Board may, with the approval of the Colonial Treasurer and subject to such conditions as he may from time to time impose, by
- 25 resolution direct the writing off of any sewerage rates, or any part thereof owing by any owner who establishes, to the satisfaction of the Broken Hill Water Board, that he has been unable, by reason of shortage of labour or material attributable to the present war, to connect his
- 30 premises to a sewer main.
- In this subsection "the present war" means the war in which His Majesty is engaged and which commenced on the third day of September, one thousand nine hundred and thirty-nine.
- 35 (2) Sewerage rates directed to be written off pursuant to subsection one of this section shall not be recoverable and shall cease to be a charge on the land in respect of which the rate notice was served as from the date of the resolution directing such writing off.

No. , 1945.

A BILL

To amend the Broken Hill Water and Sewerage Act, 1938-1941, in certain respects; and for purposes connected therewith.

[Mr. CAHILL;—25 September, 1945.]

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
5 the same, as follows :—

1. (1) This Act may be cited as the "Broken Hill Short title.
Water and Sewerage (Amendment) Act, 1945."

(2) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act,
10 may be cited as the Broken Hill Water and Sewerage Act, 1938-1945.

Broken Hill Water and Sewerage (Amendment).

2. The Broken Hill Water and Sewerage Act, 1938-1941, is amended— Amendment of Act No. 20, 1938.

(a) by inserting next after section eight the following new section:— New sec. 8A.

5 8A. (1) The board may pay to or on behalf of its members reasonable allowances towards their necessary out-of-pocket expenses for conveyance and subsistence in travelling— Travelling expenses. cf. Act No. 41, 1919, s. 28.

10 (a) to and from the meetings of the board, or the meetings of any committee of the board;

(b) upon inspections within the area of operations, provided such inspections are undertaken in compliance with resolutions of the board passed beforehand;

15 (c) upon business of the board outside the area of operations in compliance with a resolution of the board.

20 (2) Allowances under this section shall not exceed such amount as may be prescribed by the regulations.

25 (3) This section shall be deemed to have commenced on the twenty-third day of December, one thousand nine hundred and thirty-eight.

(b) (i) by inserting in subsections four, six and seven of section thirty-six next before the word "main" wherever occurring the word "sewer"; Sec. 36. (Connections to water or sewer mains.)

30 (ii) by inserting next after subsection seven of the same section the following new subsection:—

35 (7A) Such terms and conditions may include provision for the payment to the board of interest at such rate as may be fixed by the board upon moneys due to the board under any such agreement. The amount of interest payable under this subsection

Broken Hill Water and Sewerage (Amendment).

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 board in raising, administering and repay-
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 to the amount of such loan and such costs
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36A.

15 36A. (1) (a) The board, at its own expense,
 shall provide, lay and instal the water pipes
 and necessary fittings between any water main
 (whether laid before or after the commencement
 of this section) with which premises are to be
 20 connected and the point upon such premises at
 which a water meter is or is to be installed and
 carry out all work connected therewith.

Water pipes
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25 (b) Any water pipe provided by
 the board under paragraph (a) of this subsec-
 tion shall not be deemed to be a water pipe of
 the board for the purposes of paragraph (a) of
 section seventy-seven of this Act.

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 ment of this section) and the point upon such
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 installed.

40 (3) In the case of a water main laid after
 the commencement of this section the water pipes
 and necessary fittings to be provided by the
 board under subsection one of this section shall
 as far as practicable be laid and installed when
 the water main is laid.

(4)

Broken Hill Water and Sewerage (Amendment).

(4) This section shall be deemed to have commenced on the twenty-first day of September, one thousand nine hundred and forty-three.

- 5 (d) (i) by omitting from paragraph (b) of subsection one of section sixty the word "and"; (Purposes for which money may be borrowed.)
- (ii) by inserting at the end of the same subsection the following word and new paragraph:—

"and

- 10 (d) making connections to sewer mains pursuant to subsection seven of section thirty-six of this Act."

- (e) by inserting in the First Schedule next after clause thirty the following new clause:—

- 15 30A. Rates, charges and fees shall not be abandoned or written off the books of account of the board except in accordance with a regulation in that behalf and then only upon the certificate of the Auditor-General that the
- 20 abandonment or writing off is in accordance with such regulation.

3. (1) The Broken Hill Water Board may, with the approval of the Colonial Treasurer and subject to such conditions as he may from time to time impose, by
- 25 resolution direct the writing off of any sewerage rates, or any part thereof owing by any owner who establishes, to the satisfaction of the Broken Hill Water Board, that he has been unable, by reason of shortage of labour or material attributable to the present war, to connect his
- 30 premises to a sewer main.

In this subsection "the present war" means the war in which His Majesty is engaged and which commenced on the third day of September, one thousand nine hundred and thirty-nine.

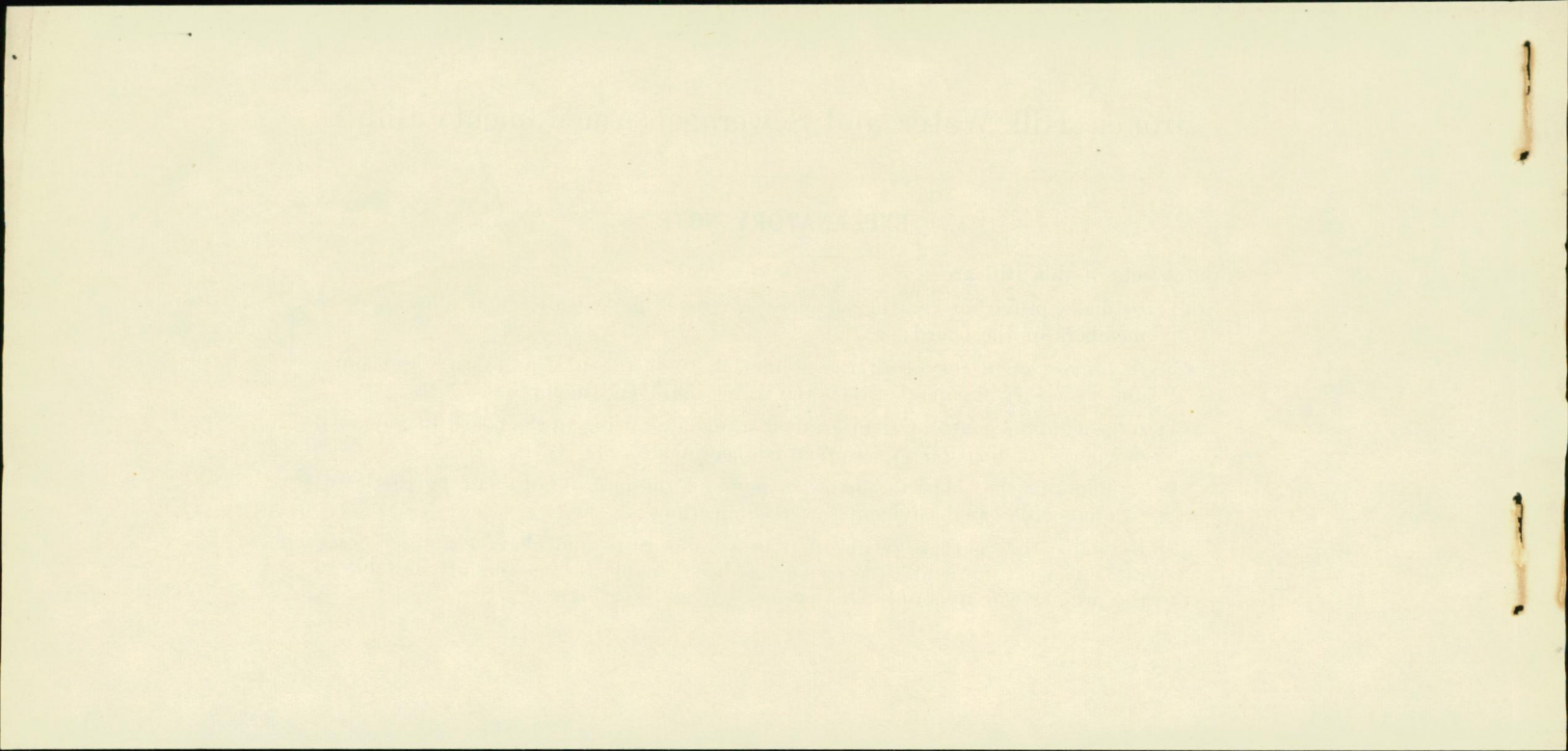
- 35 (2) Sewerage rates directed to be written off pursuant to subsection one of this section shall not be recoverable and shall cease to be a charge on the land in respect of which the rate notice was served as from the date of the resolution directing such writing off.

Broken Hill Water and Sewerage (Amendment) Bill.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (1) to make provision for the payment of travelling expenses and allowances to members of the board;
- (2) to impose upon the board the obligation to instal and maintain water pipes and necessary fittings between the water main and meter;
- (3) to provide for payment of interest upon moneys owing to the board for deferred payments in relation to sewerage connections;
- (4) to empower the board to borrow moneys for the purpose of enabling the board to finance deferred payment sewer connections;
- (5) to enable the board to write off irrecoverable rates and charges and sewerage rates accrued due while the owner has been unable for reasons attributable to the present war to connect his premises to a sewer main.



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A BILL

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[MR. CAHILL;—25 September, 1945.]

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5 **1.** (1) This Act may be cited as the "Broken Hill Water and Sewerage (Amendment) Act, 1945." Short title.

(2) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act,
10 may be cited as the Broken Hill Water and Sewerage Act, 1938-1945.

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2. The Broken Hill Water and Sewerage Act, 1938-1941, is amended—

Amendment of Act No. 20, 1938.

(a) by inserting next after section eight the following new section:—

New sec. 8A.

5 8A. (1) The board may pay to or on behalf of its members reasonable allowances towards their necessary out-of-pocket expenses for conveyance and subsistence in travelling—

Travelling expenses. cf. Act No. 41, 1919, s. 28.

10 (a) to and from the meetings of the board, or the meetings of any committee of the board;

15 (b) upon inspections within the area of operations, provided such inspections are undertaken in compliance with resolutions of the board passed beforehand;

 (c) upon business of the board outside the area of operations in compliance with a resolution of the board.

20 (2) Allowances under this section shall not exceed such amount as may be prescribed by the regulations.

25 (3) This section shall be deemed to have commenced on the twenty-third day of December, one thousand nine hundred and thirty-eight.

30 (b) (i) by inserting in subsections four, six and seven of section thirty-six next before the word "main" wherever occurring the word "sewer";

Sec. 36. (Connections to water or sewer mains.)

 (ii) by inserting next after subsection seven of the same section the following new subsection:—

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board in raising, administering and repay-
ing such loan, the same ratio as the moneys
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(c) by inserting next after section thirty-six the following new section:—

15 36A. (1) (a) The board, at its own expense,
shall provide, lay and instal the water pipes
and necessary fittings between any water main
(whether laid before or after the commencement
of this section) with which premises are to be
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which a water meter is or is to be installed and
carry out all work connected therewith.

(b) Any water pipe provided by
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section seventy-seven of this Act.

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30 installed.

(3) In the case of a water main laid after
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and necessary fittings to be provided by the
board under subsection one of this section shall
as far as practicable be laid and installed when
40 the water main is laid.

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 (ii) by inserting at the end of the same subsection the following word and new paragraph:—
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- 10 (d) making connections to sewer mains pursuant to subsection seven of section thirty-six of this Act."

- (e) by inserting in the First Schedule next after clause thirty the following new clause:— First Schedule. New clause 30A.

- 15 **30A.** Rates, charges and fees shall not be abandoned or written off the books of account of the board except in accordance with a regulation in that behalf and then only upon the certificate of the Auditor-General that the
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- 3.** (1) The Broken Hill Water Board may, with the approval of the Colonial Treasurer and subject to such conditions as he may from time to time impose, by
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