

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 23 September, 1959.

New South Wales



ANNO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. , 1959.

An Act to transfer to the Council of the Shire of Walgett the works of water supply administered and managed by the Walgett Water Trust; to dissolve the Walgett Water Trust; for these and other purposes to amend the Water Act, 1912, the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

BE it enacted by the Queen'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 "Walgett Water Supply Act, 1959."

Short title
and com-
mencement.

Walgett Water Supply.

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty.

2. In this Act, unless the context or subject matter otherwise indicates or requires—

5 “Council” means the Council of the Shire of Walgett.

“Trust” means the Walgett Water Trust constituted under the Water and Drainage Act, 1902, by proclamation published in Gazette No. 496 of the twenty-second day of September, one thousand nine hundred and five, and deemed to have been made under the provisions of the Water Act, 1912.

10 “The works” means the works of water supply administered and managed by the trust immediately before the commencement of this Act.

15 3. (1) The trust is hereby dissolved.

(2) All administration and management of the works exercisable by the trust under the Water Act, 1912-1955, immediately before the commencement of this Act shall subject to the provisions of this Act be exercisable by the council.

Dissolution
of trust and
transfer of
the works to
the council.

The provisions of the Local Government Act, 1919, as amended by subsequent Acts, shall apply to the works and to the council in respect of the works.

25 (3) All real and personal property including all books and documents and all right and interest therein which immediately before the commencement of this Act were vested in or belonged to the trust shall vest in and belong to the council.

30 (4) All rates, charges, moneys, liquidated and unliquidated claims which immediately before the commencement of this Act were payable to or recoverable by the trust shall respectively be rates, charges, moneys, liquidated and unliquidated claims payable to or recoverable by the council.

Rates

Walgett Water Supply.

Rates and charges made and levied by the trust and unpaid at the commencement of this Act may be increased by the council in the same manner as the trust might have done but for this Act.

5 (5) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the trust shall respectively be suits, actions and proceedings pending at the suit of the council.

10 (6) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the trust and in force immediately before the commencement of this Act shall respectively be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the council.

15 (7) The council may pursue the same remedies for the recovery of any such rates, charges, moneys and claims and for the prosecution of such suits, actions and proceedings as the trust might have done but for this Act.

20 (8) The council may enforce and realise any security or charge existing immediately before the commencement of this Act in favour of the trust in respect of any such rates, charges, moneys and claims as if such security or charge were existing in favour of the council.

25 (9) All debts due and moneys payable by the trust and all claims liquidated or unliquidated recoverable against the trust shall be debts due, moneys payable by and claims recoverable against the council.

(10) No attornment by a lessee of any land vested in the council by this section shall be necessary.

Walgett Water Supply.

4. All persons who immediately before the commencement of this Act were servants of the trust are hereby transferred to the service of the council. Transfer of servants.

The provisions of section 20c of the Local Government Act, 1919, as amended by subsequent Acts, shall apply, mutatis mutandis, to and in respect of the transfer of any person from the service of the trust to the service of the council under this section and for the purposes of the said section 20c service with the trust shall be deemed to have been service with a council.

No. , 1959.

A BILL

To transfer to the Council of the Shire of Walgett the works of water supply administered and managed by the Walgett Water Trust; to dissolve the Walgett Water Trust; for these and other purposes to amend the Water Act, 1912, the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith.

[MR. RENSHAW;—1 *September*, 1959.]

BE it enacted by the Queen'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 :—

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(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty.

2. In this Act, unless the context or subject matter otherwise indicates or requires—

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“Trust” means the Walgett Water Trust constituted under the Water and Drainage Act, 1902, by proclamation published in Gazette No. 496 of the twenty-second day of September, one thousand nine hundred and five, and deemed to have been made under the provisions of the Water Act, 1912.

10 “The works” means the works of water supply administered and managed by the trust immediately before the commencement of this Act.

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(2) All administration and management of the works exercisable by the trust under the Water Act, 1912-1955, immediately before the commencement of this Act shall subject to the provisions of this Act be exercisable by the council.

Dissolution
of trust and
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the works to
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The provisions of the Local Government Act, 1919, as amended by subsequent Acts, shall apply to the works and to the council in respect of the works.

25 (3) All real and personal property including all books and documents and all right and interest therein which immediately before the commencement of this Act were vested in or belonged to the trust shall vest in and belong to the council.

30 (4) All rates, charges, moneys, liquidated and unliquidated claims which immediately before the commencement of this Act were payable to or recoverable by the trust shall respectively be rates, charges, moneys, liquidated and unliquidated claims payable to or recoverable by the council.

Rates

Walgett Water Supply.

Rates and charges made and levied by the trust and unpaid at the commencement of this Act may be increased by the council in the same manner as the trust might have done but for this Act.

5 (5) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the trust shall respectively be suits, actions and proceedings pending at the suit of the council.

10 (6) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the trust and in force immediately before the commencement of this Act shall respectively be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the council.

15 (7) The council may pursue the same remedies for the recovery of any such rates, charges, moneys and claims and for the prosecution of such suits, actions and proceedings as the trust might have done but for this Act.

20 (8) The council may enforce and realise any security or charge existing immediately before the commencement of this Act in favour of the trust in respect of any such rates, charges, moneys and claims as if such security or charge were existing in favour of the council.

25 (9) All debts due and moneys payable by the trust and all claims liquidated or unliquidated recoverable against the trust shall be debts due, moneys payable by and claims recoverable against the council.

(10) No attornment by a lessee of any land vested in the council by this section shall be necessary.

Walgett Water Supply.

4. All persons who immediately before the commencement of this Act were servants of the trust are hereby transferred to the service of the council. ^{Transfer of servants.}

The provisions of section 20c of the Local Government Act, 1919, as amended by subsequent Acts, shall apply, mutatis mutandis, to and in respect of the transfer of any person from the service of the trust to the service of the council under this section and for the purposes of the said section 20c service with the trust shall be deemed to have been service with a council.

WALGETT WATER SUPPLY BILL, 1959.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to transfer to the Walgett Shire Council as from 1st January, 1960, the works of water supply at Walgett operated by the Walgett Water Trust ;
- (b) to dissolve the Walgett Water Trust ;
- (c) to make provisions regulating the transfer of powers, assets, liabilities and servants consequent upon and incidental to the transfer of such works ;
- (d) to make other provisions of a minor or ancillary character.

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(1) The first of these is the fact that the
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EXHIBIT NO. 101

MUSEUM OF THE CITY OF BOSTON

PROOF.

No. , 1959.

A BILL

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[MR. RENSCHAW;—1 *September*, 1959.]

BE it enacted by the Queen'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 "Walgett Water Supply Act, 1959."

Short title
and com-
mencement.

Walgett Water Supply.

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty.

2. In this Act, unless the context or subject matter otherwise indicates or requires— Definitions.

5 “Council” means the Council of the Shire of Walgett.

“Trust” means the Walgett Water Trust constituted under the Water and Drainage Act, 1902, by proclamation published in Gazette No. 496 of the twenty-second day of September, one thousand nine hundred and five, and deemed to have been made under the provisions of the Water Act, 1912.

10 “The works” means the works of water supply administered and managed by the trust immediately before the commencement of this Act.

15 3. (1) The trust is hereby dissolved.

(2) All administration and management of the works exercisable by the trust under the Water Act, 1912-1955, immediately before the commencement of this Act shall subject to the provisions of this Act be exercisable by the council.

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The provisions of the Local Government Act, 1919, as amended by subsequent Acts, shall apply to the works and to the council in respect of the works.

25 (3) All real and personal property including all books and documents and all right and interest therein which immediately before the commencement of this Act were vested in or belonged to the trust shall vest in and belong to the council.

30 (4) All rates, charges, moneys, liquidated and unliquidated claims which immediately before the commencement of this Act were payable to or recoverable by the trust shall respectively be rates, charges, moneys, liquidated and unliquidated claims payable to or recoverable by the council.

Rates

Walgett Water Supply.

Rates and charges made and levied by the trust and unpaid at the commencement of this Act may be increased by the council in the same manner as the trust might have done but for this Act.

5 (5) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the trust shall respectively be suits, actions and proceedings pending at the suit of the council.

10 (6) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the trust and in force immediately before the commencement of this Act shall respectively be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the council.

15 (7) The council may pursue the same remedies for the recovery of any such rates, charges, moneys and claims and for the prosecution of such suits, actions and proceedings as the trust might have done but for this Act.

20 (8) The council may enforce and realise any security or charge existing immediately before the commencement of this Act in favour of the trust in respect of any such rates, charges, moneys and claims as if such security or charge were existing in favour of the council.

25 (9) All debts due and moneys payable by the trust and all claims liquidated or unliquidated recoverable against the trust shall be debts due, moneys payable by and claims recoverable against the council.

(10) No attornment by a lessee of any land vested in the council by this section shall be necessary.

Walgett Water Supply.

4. All persons who immediately before the commencement of this Act were servants of the trust are hereby transferred to the service of the council. ^{Transfer of servants.}

The provisions of section 20c of the Local Government Act, 1919, as amended by subsequent Acts, shall apply, mutatis mutandis, to and in respect of the transfer of any person from the service of the trust to the service of the council under this section and for the purposes of the said section 20c service with the trust shall be deemed to have been service with a council.

New South Wales



ANNO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 17, 1959.

An Act to transfer to the Council of the Shire of Walgett the works of water supply administered and managed by the Walgett Water Trust; to dissolve the Walgett Water Trust; for these and other purposes to amend the Water Act, 1912, the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith. [Assented to, 7th October, 1959.]

BE it enacted by the Queen'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 "Walgett Water Supply Act, 1959."

Short title and commencement.

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[4d.]

(2)

Walgett Water Supply.

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty.

Definitions. **2.** In this Act, unless the context or subject matter otherwise indicates or requires—

“Council” means the Council of the Shire of Walgett.

“Trust” means the Walgett Water Trust constituted under the Water and Drainage Act, 1902, by proclamation published in Gazette No. 496 of the twenty-second day of September, one thousand nine hundred and five, and deemed to have been made under the provisions of the Water Act, 1912.

“The works” means the works of water supply administered and managed by the trust immediately before the commencement of this Act.

Dissolution
of trust and
transfer of
the works to
the council. **3.** (1) The trust is hereby dissolved.

(2) All administration and management of the works exercisable by the trust under the Water Act, 1912-1955, immediately before the commencement of this Act shall subject to the provisions of this Act be exercisable by the council.

The provisions of the Local Government Act, 1919, as amended by subsequent Acts, shall apply to the works and to the council in respect of the works.

(3) All real and personal property including all books and documents and all right and interest therein which immediately before the commencement of this Act were vested in or belonged to the trust shall vest in and belong to the council.

(4) All rates, charges, moneys, liquidated and unliquidated claims which immediately before the commencement of this Act were payable to or recoverable by the trust shall respectively be rates, charges, moneys, liquidated and unliquidated claims payable to or recoverable by the council.

Rates

Walgett Water Supply.

Rates and charges made and levied by the trust and unpaid at the commencement of this Act may be increased by the council in the same manner as the trust might have done but for this Act.

(5) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the trust shall respectively be suits, actions and proceedings pending at the suit of the council.

(6) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the trust and in force immediately before the commencement of this Act shall respectively be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the council.

(7) The council may pursue the same remedies for the recovery of any such rates, charges, moneys and claims and for the prosecution of such suits, actions and proceedings as the trust might have done but for this Act.

(8) The council may enforce and realise any security or charge existing immediately before the commencement of this Act in favour of the trust in respect of any such rates, charges, moneys and claims as if such security or charge were existing in favour of the council.

(9) All debts due and moneys payable by the trust and all claims liquidated or unliquidated recoverable against the trust shall be debts due, moneys payable by and claims recoverable against the council.

(10) No attornment by a lessee of any land vested in the council by this section shall be necessary.

Walgett Water Supply.

Transfer of servants.

4. All persons who immediately before the commencement of this Act were servants of the trust are hereby transferred to the service of the council.

The provisions of section 20c of the Local Government Act, 1919, as amended by subsequent Acts, shall apply, mutatis mutandis, to and in respect of the transfer of any person from the service of the trust to the service of the council under this section and for the purposes of the said section 20c service with the trust shall be deemed to have been service with a council.

By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1959

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.

ALLAN PICKERING,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 29 September, 1959.*

New South Wales



ANNO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 17, 1959.

An Act to transfer to the Council of the Shire of Walgett the works of water supply administered and managed by the Walgett Water Trust; to dissolve the Walgett Water Trust; for these and other purposes to amend the Water Act, 1912, the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith. [Assented to, 7th October, 1959.]

BE it enacted by the Queen'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 "Walgett Water Supply Act, 1959." Short title and commencement.

(2)

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

HOWARD T. FOWLES,
Chairman of Committees of the Legislative Assembly.

Walgett Water Supply.

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty.

Definitions. **2.** In this Act, unless the context or subject matter otherwise indicates or requires—

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Dissolution of trust and transfer of the works to the council. **3.** (1) The trust is hereby dissolved.

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The provisions of the Local Government Act, 1919, as amended by subsequent Acts, shall apply to the works and to the council in respect of the works.

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

E. W. WOODWARD,
Governor.

*Government House,
Sydney, 7th October, 1959.*