New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 28, 1965.

An Act relating to the office of President and Vice-President of the Metropolitan Water Sewerage and Drainage Board, the imposition of restrictions on the use of water and limitation of actions against the said Board; for these and other purposes to amend the Metropolitan Water, Sewerage, and Drainage Act, 1924-1964; to validate certain matters; and for purposes connected therewith. [Assented to, 17th December, 1965.]

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:—

Short title and citation.

- 1. (1) This Act may be cited as the "Metropolitan Water, Sewerage, and Drainage (Amendment) Act, 1965".
- (2) The Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended by subsequent Acts and by proclamations pursuant to section 36A of the said Act and by this Act, may be cited as the Metropolitan Water, Sewerage, and Drainage Act, 1924-1965.

Amendment of Act No. 50, 1924.

2. (1) The Metropolitan Water, Sewerage, and Drainage Act, 1924-1964, is amended—

Sec. 4. (Definitions.)

- (a) by inserting in section four next after the definition of "Ratable land" the following new definition:—
 - "Rate book" includes the property cards, punched cards, magnetic devices, any decoding of such cards or devices, tabulations and other records forming part of an automatic data processing system where such system is in force in connection with ratable land.

Sec. 7. (Composition of board.)

- (b) (i) by omitting from subparagraph (i) of paragraph (b) of subsection two of section seven the words "five years" and by inserting in lieu thereof the words "seven years";
 - (ii) by omitting paragraph (e) of the same subsection;
 - (iii) by inserting next after the same subsection the following new subsection:—
 - (2A) Any person holding office as president of the board or vice-president of the board shall be deemed to have vacated his office as such on the day upon which he attains the age of sixty-five years, and no person who is

of or above the age of sixty-five years shall be appointed as president of the board or vicepresident of the board.

- (c) (i) by omitting from subsection one of section Sec. 19.

 nineteen the words "of the board shall be paid" (Remuneraand by inserting in lieu thereof the words members.)

 "and vice-president of the board shall respectively be paid":
 - (ii) by omitting from subsection two of the same section the words "The president shall not" and by inserting in lieu thereof the words "Neither the president nor the vice-president shall";
 - (iii) by omitting from subsection three of the same section the words "The vice-president and each" and by inserting in lieu thereof the word "Each";
 - (iv) by omitting from the same subsection the word "respectively";
 - (v) by omitting from the same subsection the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the board attended" and by inserting in lieu thereof the words "of four hundred pounds per annum together with a fee of seven pounds for each meeting of the board attended with a maximum amount for such fees of three hundred and fifty pounds per annum";
 - (vi) by omitting subsection five of the same section;
- (d) by omitting from subsection two of section twenty Sec. 20. the words "The vice-president whilst so acting may (When vice-be paid such remuneration in addition to the may act as remuneration referred to in subsection three of president.) section nineteen of this Act as the Governor may determine."; (e)

Sec. 51. (Board's duty to protect supply.)

- (e) by inserting at the end of section fifty-one the following new subsection:—
 - (3) (a) Where the Minister is of opinion that it is necessary in the public interest and for the purpose of maintaining the distribution of the water supply throughout the board's area of operations or in any part or parts thereof to the greatest general advantage, he may, by notification published in the Gazette or in a newspaper circulating in the area or areas to which the notification relates, declare and prescribe from time to time that—
 - (i) the use for any purpose or by any means or on any days or at any times specified in such notification of water supplied by the board in the area or areas therein described is prohibited, and
 - (ii) such special conditions as may be set out in such notification shall be observed by all persons using for any purpose or by any means or on any days or at any times specified in such notification water supplied by the board in the area or areas therein described.
 - (b) The Minister may by like notification at any time amend, alter, vary or revoke any such notification previously published as aforesaid.
 - (c) Where the Minister considers that it is for any reason impracticable or inexpedient to make any notification in the manner abovementioned a like notification may be made by or on behalf of the Minister verbally or in such other manner including aerial or televised broadcast as the Minister deems expedient in the circumstances of the case.
 - (d) Any person who uses any water supplied by the board in contravention of any notification published under or pursuant to the provisions of this subsection or who fails to comply with the

terms and conditions of any such notification in any respect shall be liable to a penalty not exceeding fifty pounds.

- (e) The powers conferred by this subsection are in addition to and not in derogation of any other powers conferred by or under this Act in respect of the regulation or prohibition of the use of water.
- (f) by omitting paragraph (f) of section fifty-three and Sec. 53. by inserting in lieu thereof the following (Cutting off paragraph:—
 - (f) if the owner or occupier or any person supplied with water by the board does or causes or permits to be done or by any act or omission is directly or indirectly concerned in anything in contravention of any of the provisions of this Act or of the bylaws or of any notification referred to in subsection three of section fifty-one of this Act relating to water supply or fails to do anything which under any of those provisions ought to be done for prevention of the waste misuse undue consumption or contamination of the water of the board or water supplied by it; or
- (g) by inserting at the end of paragraph (f) of subsec- Sec. 55. tion five of section fifty-five the following word and (Catchment new paragraph:—

; or

- (g) to grant a license or lease under the Petroleum Act, 1955, as amended by subsequent Acts.
- (h) by omitting from subsection six of section seventy- Sec. 76. six the words "for full consideration in money or (Debenmoney's worth";
- (i) by inserting in paragraph (d1) of subsection one Sec. 88. of section eighty-eight after the word "kinder-exempted garten" the words "or amenities for the aged"; (Lands exempted from rates.)

Sec. 98. (Inspection.)

- (j) (i) by omitting from subsection two of section ninety-eight the words ", and such entry shall be signed by the president, vice-president, or secretary of the board";
 - (ii) by inserting at the end of the same section the following new subsection:—
 - (3) Where an automatic data processing system is in force in connection with ratable land a property card, punched card, magnetic device, any decoding of such cards or devices, tabulations and other records forming part of such system upon production thereof by any officer authorised in that behalf by the board, shall, without any other evidence that the requirements of this Act have been complied with, be received in all courts as prima facie evidence of the facts therein contained.

Sec. 101. (Certificate as to amount due.)

Sec. 132. (Legal proceedings.)

(k) by omitting from subsection three of section one hundred and one the words "of two shillings and sixpence" and by inserting in lieu thereof the words "prescribed by by-law";

- (1) by inserting at the end of subsection three of section one hundred and thirty-two the following new paragraph:—
 - (b) Every such action shall be commenced within the period (in this subsection referred to as "prescribed period") of twelve months next after the occurring of the cause of action: Provided that where an application is made to a judge of the Supreme Court in accordance with rules of court for an extension of the prescribed period the judge may, if he is satisfied that sufficient cause has been shown, or that having regard to all the circumstances of the case, it would be reasonable so to do, make an order for extension of the prescribed period for such further period and subject to such terms and conditions, if any, as may be set out in the order.

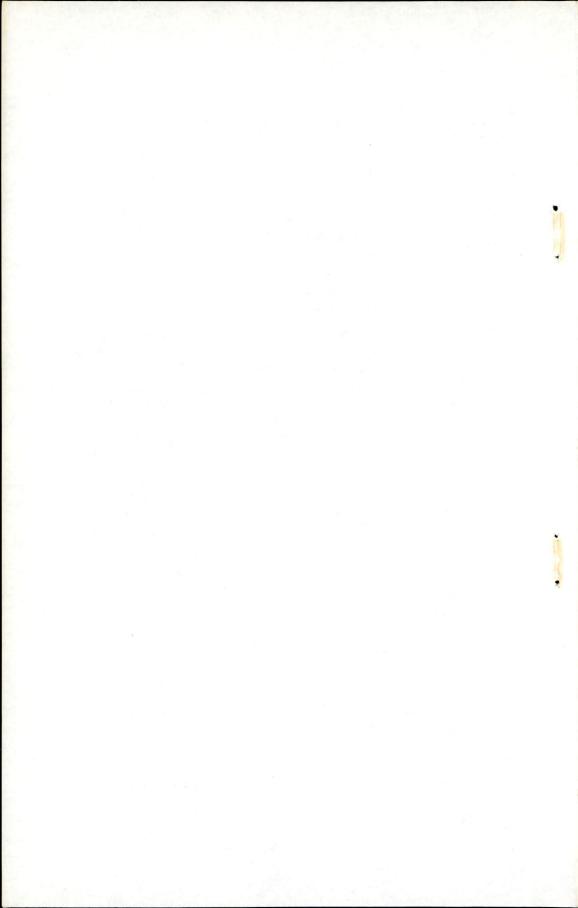
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Such application for extension may be made either within the prescribed period or at any time within twelve months thereafter.

Any person who is dissatisfied with the decision of the judge on any such application may appeal to the Supreme Court and that court may on the appeal make any order which ought to have been made in the first instance.

Every such appeal shall be made in accordance with rules of court.

- (m) by omitting from clause 16 of the Fourth Schedule Fourth the words "may be authenticated in the manner Schedule. prescribed by the regulations, and".
- (2) The amendments made by paragraph (b) and subparagraphs (i) and (ii) of paragraph (c) of subsection one of this section shall extend to and in respect of the persons who at the commencement of this Act held the office respectively of president and vice-president.
- (3) The amendment made by subparagraph (v) of paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of May, one thousand nine hundred and sixty-three.
- (4) Subsection three of section nineteen shall be deemed to have been amended as from the first day of July, one thousand nine hundred and fifty-five, to the first day of May, one thousand nine hundred and sixty-three, as if the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the board attended" were omitted therefrom and the words "of two hundred and fifty pounds per annum together with a fee of five pounds for each meeting of the board attended with a maximum amount for such fees of three hundred pounds per annum" were substituted therefor.



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, 9 December, 1965, A.M.

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 28, 1965.

An Act relating to the office of President and Vice-President of the Metropolitan Water Sewerage and Drainage Board, the imposition of restrictions on the use of water and limitation of actions against the said Board; for these and other purposes to amend the Metropolitan Water, Sewerage, and Drainage Act, 1924-1964; to validate certain matters; and for purposes connected therewith. [Assented to, 17th December, 1965.]

BE

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

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

B^E 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:—

Short title and citation.

- 1. (1) This Act may be cited as the "Metropolitan Water, Sewerage, and Drainage (Amendment) Act, 1965".
- (2) The Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended by subsequent Acts and by proclamations pursuant to section 36A of the said Act and by this Act, may be cited as the Metropolitan Water, Sewerage, and Drainage Act, 1924-1965.

Amendment of Act No. 50, 1924.

2. (1) The Metropolitan Water, Sewerage, and Drainage Act, 1924-1964, is amended—

Sec. 4. (Definitions.)

- (a) by inserting in section four next after the definition of "Ratable land" the following new definition:—
 - "Rate book" includes the property cards, punched cards, magnetic devices, any decoding of such cards or devices, tabulations and other records forming part of an automatic data processing system where such system is in force in connection with ratable land.

Sec. 7. (Composition of board.)

- (b) (i) by omitting from subparagraph (i) of paragraph (b) of subsection two of section seven the words "five years" and by inserting in lieu thereof the words "seven years";
 - (ii) by omitting paragraph (e) of the same subsection:
 - (iii) by inserting next after the same subsection the following new subsection: —
 - (2A) Any person holding office as president of the board or vice-president of the board shall be deemed to have vacated his office as such on the day upon which he attains the age of sixty-five years, and no person who is

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of or above the age of sixty-five years shall be appointed as president of the board or vicepresident of the board.

- (c) (i) by omitting from subsection one of section Sec. 19. nineteen the words "of the board shall be paid" (Remuneration of the words in lieu thereof the words members.) "and vice-president of the board shall respectively be paid";
 - (ii) by omitting from subsection two of the same section the words "The president shall not" and by inserting in lieu thereof the words "Neither the president nor the vice-president shall";
 - (iii) by omitting from subsection three of the same section the words "The vice-president and each" and by inserting in lieu thereof the word "Each";
 - (iv) by omitting from the same subsection the word "respectively";
 - (v) by omitting from the same subsection the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the board attended" and by inserting in lieu thereof the words "of four hundred pounds per annum together with a fee of seven pounds for each meeting of the board attended with a maximum amount for such fees of three hundred and fifty pounds per annum";
 - (vi) by omitting subsection five of the same section;
- (d) by omitting from subsection two of section twenty Sec. 20. the words "The vice-president whilst so acting may (When vicebe paid such remuneration in addition to the may act as remuneration referred to in subsection three of president.) section nineteen of this Act as the Governor may determine.";

Sec. 51. (Board's duty to protect supply.)

- (e) by inserting at the end of section fifty-one the following new subsection:—
 - (3) (a) Where the Minister is of opinion that it is necessary in the public interest and for the purpose of maintaining the distribution of the water supply throughout the board's area of operations or in any part or parts thereof to the greatest general advantage, he may, by notification published in the Gazette or in a newspaper circulating in the area or areas to which the notification relates, declare and prescribe from time to time that—
 - (i) the use for any purpose or by any means or on any days or at any times specified in such notification of water supplied by the board in the area or areas therein described is prohibited, and
 - (ii) such special conditions as may be set out in such notification shall be observed by all persons using for any purpose or by any means or on any days or at any times specified in such notification water supplied by the board in the area or areas therein described.
 - (b) The Minister may by like notification at any time amend, alter, vary or revoke any such notification previously published as aforesaid.
 - (c) Where the Minister considers that it is for any reason impracticable or inexpedient to make any notification in the manner abovementioned a like notification may be made by or on behalf of the Minister verbally or in such other manner including aerial or televised broadcast as the Minister deems expedient in the circumstances of the case.
 - (d) Any person who uses any water supplied by the board in contravention of any notification published under or pursuant to the provisions of this subsection or who fails to comply with the

terms

terms and conditions of any such notification in any respect shall be liable to a penalty not exceeding fifty pounds.

- (e) The powers conferred by this subsection are in addition to and not in derogation of any other powers conferred by or under this Act in respect of the regulation or prohibition of the use of water.
- (f) by omitting paragraph (f) of section fifty-three and Sec. 53. by inserting in lieu thereof the following (Cutting off paragraph: -
 - (f) if the owner or occupier or any person supplied with water by the board does or causes or permits to be done or by any act or omission is directly or indirectly concerned in anything in contravention of any of the provisions of this Act or of the bylaws or of any notification referred to in subsection three of section fifty-one of this Act relating to water supply or fails to do anything which under any of those provisions ought to be done for prevention of the waste misuse undue consumption or contamination of the water of the board or water supplied by it; or
- (g) by inserting at the end of paragraph (f) of subsec- Sec. 55. tion five of section fifty-five the following word and (Catchment new paragraph:-

; or

- (g) to grant a license or lease under the Petroleum Act, 1955, as amended by subsequent Acts.
- (h) by omitting from subsection six of section seventy- Sec. 76. six the words "for full consideration in money or (Debenmoney's worth";
- (i) by inserting in paragraph (d1) of subsection one Sec. 88. of section eighty-eight after the word "kinder-(Lands garten" the words "or amenities for the aged"; from rates.)

Sec. 98. (Inspection.)

- (j) (i) by omitting from subsection two of section ninety-eight the words ", and such entry shall be signed by the president, vice-president, or secretary of the board";
 - (ii) by inserting at the end of the same section the following new subsection:—
 - (3) Where an automatic data processing system is in force in connection with ratable land a property card, punched card, magnetic device, any decoding of such cards or devices, tabulations and other records forming part of such system upon production thereof by any officer authorised in that behalf by the board, shall, without any other evidence that the requirements of this Act have been complied with, be received in all courts as prima facie evidence of the facts therein contained.

Sec. 101. (Certificate as to amount due.)

Sec. 132. (Legal proceedings.)

- (k) by omitting from subsection three of section one hundred and one the words "of two shillings and sixpence" and by inserting in lieu thereof the words "prescribed by by-law";
- (1) by inserting at the end of subsection three of section one hundred and thirty-two the following new paragraph:—
 - (b) Every such action shall be commenced within the period (in this subsection referred to as "prescribed period") of twelve months next after the occurring of the cause of action: Provided that where an application is made to a judge of the Supreme Court in accordance with rules of court for an extension of the prescribed period the judge may, if he is satisfied that sufficient cause has been shown, or that having regard to all the circumstances of the case, it would be reasonable so to do, make an order for extension of the prescribed period for such further period and subject to such terms and conditions, if any, as may be set out in the order.

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Such application for extension may be made either within the prescribed period or at any time within twelve months thereafter.

Any person who is dissatisfied with the decision of the judge on any such application may appeal to the Supreme Court and that court may on the appeal make any order which ought to have been made in the first instance.

Every such appeal shall be made in accordance with rules of court.

(m) by omitting from clause 16 of the Fourth Schedule Fourth the words "may be authenticated in the manner Schedule. prescribed by the regulations, and".

Clause 16.

- (2) The amendments made by paragraph (b) and subparagraphs (i) and (ii) of paragraph (c) of subsection one of this section shall extend to and in respect of the persons who at the commencement of this Act held the office respectively of president and vice-president.
- (3) The amendment made by subparagraph (v) of paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of May, one thousand nine hundred and sixty-three.
- (4) Subsection three of section nineteen shall be deemed to have been amended as from the first day of July, one thousand nine hundred and fifty-five, to the first day of May, one thousand nine hundred and sixty-three, as if the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the board attended" were omitted therefrom and the words "of two hundred and fifty pounds per annum together with a fee of five pounds for each meeting of the board attended with a maximum amount for such fees of three hundred pounds per annum" were substituted therefor.

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

> K. W. STREET. Lieutenant-Governor.

Government House.

Sydney, 17th December, 1965.

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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, _ 8 DEC 1965

New South Wales



ANNO QUARTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1965.

An Act relating to the office of President and Vice-President of the Metropolitan Water Sewerage and Drainage Board, the imposition of restrictions on the use of water and limitation of actions against the said Board; for these and other purposes to amend the Metropolitan Water, Sewerage, and Drainage Act, 1924-1964; to validate certain matters; 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 5 follows:—

- 1. (1) This Act may be cited as the "Metropolitan Short title Water, Sewerage, and Drainage (Amendment) Act, 1965". and citation
- (2) The Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended by subsequent Acts and by proclama10 tions pursuant to section 36A of the said Act and by this Act, may be cited as the Metropolitan Water, Sewerage, and Drainage Act, 1924-1965.
 - 2. (1) The Metropolitan Water, Sewerage, and Drainage Amendment of Act No. 50, 1924-1964, is amended—
- 15 (a) by inserting in section four next after the definition Sec. 4. of "Ratable land" the following new definition: (Definitions.)
 - "Rate book" includes the property cards, punched cards, magnetic devices, any decoding of such cards or devices, tabulations and other records forming part of an automatic data processing system where such system is in force in connection with ratable land.
- (b) (i) by omitting from subparagraph (i) of para-sec. 7.
 graph (b) of subsection two of section seven (Composithe words "five years" and by inserting in lieu ton of thereof the words "seven years";
 - (ii) by omitting paragraph (e) of the same subsection;
 - (iii) by inserting next after the same subsection the following new subsection: —
 - (2A) Any person holding office as president of the board or vice-president of the board shall be deemed to have vacated his office as such on the day upon which he attains the age of sixty-five years, and no person who is

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of or above the age of sixty-five years shall be appointed as president of the board or vicepresident of the board.

- (c) (i) by omitting from subsection one of section Sec. 19.

 nineteen the words "of the board shall be paid" (Remuneration of and by inserting in lieu thereof the words members.)

 "and vice-president of the board shall respectively be paid";
- (ii) by omitting from subsection two of the same section the words "The president shall not" and by inserting in lieu thereof the words "Neither the president nor the vice-president shall";

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- (iii) by omitting from subsection three of the same section the words "The vice-president and each" and by inserting in lieu thereof the word "Each";
 - (iv) by omitting from the same subsection the word "respectively";
- (v) by omitting from the same subsection the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the board attended" and by inserting in lieu thereof the words "of four hundred pounds per annum together with a fee of seven pounds for each meeting of the board attended with a maximum amount for such fees of three hundred and fifty pounds per annum";
 - (vi) by omitting subsection five of the same section;
- (d) by omitting from subsection two of section twenty Sec. 20.

 the words "The vice-president whilst so acting may (When vicepresident be paid such remuneration in addition to the may act as
 remuneration referred to in subsection three of president.)
 section nineteen of this Act as the Governor may
 determine.";

 (e)

	(e)	by inserting at the end of section fifty-one the Sec. 51. following new subsection: (Board's duty to
		(3) (a) Where the Minister is of opinion that protect supply.) it is necessary in the public interest and for the
5		purpose of maintaining the distribution of the water supply throughout the board's area of operations or in any part or parts thereof to the greatest general advantage, he may, by notification pub- lished in the Gazette or in a newspaper circulating
10		in the area or areas to which the notification relates,
10		in the area of areas to which the notification relates,

declare and prescribe from time to time that—

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- (i) the use for any purpose or by any means or on any days or at any times specified in such notification of water supplied by the board in the area or areas therein described is prohibited, and
- (ii) such special conditions as may be set out in such notification shall be observed by all persons using for any purpose or by any means or on any days or at any times specified in such notification water supplied by the board in the area or areas therein described.
- (b) The Minister may by like notification at any time amend, alter, vary or revoke any such notification previously published as aforesaid.
- (c) Where the Minister considers that it is for any reason impracticable or inexpedient to make any notification in the manner abovementioned a like notification may be made by or on behalf of the Minister verbally or in such other manner including aerial or televised broadcast as the Minister deems expedient in the circumstances of the case.
- (d) Any person who uses any water supplied by the board in contravention of any notification published under or pursuant to the provisions of this subsection or who fails to comply with the

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terms and conditions of any such notification in any respect shall be liable to a penalty not exceeding fifty pounds.

- (e) The powers conferred by this subsection are in addition to and not in derogation of any other powers conferred by or under this Act in respect of the regulation or prohibition of the use of water.
- (f) by omitting paragraph (f) of section fifty-three and Sec. 53.

 by inserting in lieu thereof the following (Cutting off supply.)
 - (f) if the owner or occupier or any person supplied with water by the board does or causes or permits to be done or by any act or omission is directly or indirectly concerned in anything in contravention of any of the provisions of this Act or of the bylaws or of any notification referred to in subsection three of section fifty-one of this Act relating to water supply or fails to do anything which under any of those provisions ought to be done for prevention of the waste misuse undue consumption or contamination of the water of the board or water supplied by it; or
 - (g) by inserting at the end of paragraph (f) of subsection five of section fifty-five the following word and (Catchment new paragraph:—
 ; or
 - (g) to grant a license or lease under the Petroleum Act, 1955, as amended by subsequent Acts.
 - (h) by omitting from subsection six of section seventy- Sec. 76. six the words "for full consideration in money or (Debenmoney's worth";
 - (i) by inserting in paragraph (d1) of subsection one Sec. 88. of section eighty-eight after the word "kinder- (Lands exempted garten" the words "or amenities for the aged";

(j)

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- (j) (i) by omitting from subsection two of section Sec. 98.
 ninety-eight the words ", and such entry shall (Inspector be signed by the president, vice-president, or tion.)
 secretary of the board";
- (ii) by inserting at the end of the same section the following new subsection:—
 - (3) Where an automatic data processing system is in force in connection with ratable land a property card, punched card, magnetic device, any decoding of such cards or devices, tabulations and other records forming part of such system upon production thereof by any officer authorised in that behalf by the board, shall, without any other evidence that the requirements of this Act have been complied with, be received in all courts as prima facie evidence of the facts therein contained.
- (k) by omitting from subsection three of section one Sec. 101.

 hundred and one the words "of two shillings and (Certificate sixpence" and by inserting in lieu thereof the words amount "prescribed by by-law";
 - (1) by inserting at the end of subsection three of section Sec. 132.

 one hundred and thirty-two the following new (Legal proparagraph:—
- (b) Every such action shall be commenced within the period (in this subsection referred to as "prescribed period") of twelve months next after the occurring of the cause of action: Provided that where an application is made to a judge of the Supreme Court in accordance with rules of court for an extension of the prescribed period the judge may, if he is satisfied that sufficient cause has been shown, or that having regard to all the circumstances of the case, it would be reasonable so to do, make an order for extension of the prescribed period for such further period and subject to such terms and conditions, if any, as may be set out in the order.

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Such application for extension may be made either within the prescribed period or at any time within twelve months thereafter.

Any person who is dissatisfied with the decision of the judge on any such application may appeal to the Supreme Court and that court may on the appeal make any order which ought to have been made in the first instance.

Every such appeal shall be made in accordance with rules of court.

- (m) by omitting from clause 16 of the Fourth Schedule Fourth the words "may be authenticated in the manner Schedule. prescribed by the regulations, and".
- (2) The amendments made by paragraph (b) and 15 subparagraphs (i) and (ii) of paragraph (c) of subsection one of this section shall extend to and in respect of the persons who at the commencement of this Act held the office respectively of president and vice-president.
- (3) The amendment made by subparagraph (v) of 20 paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of May, one thousand nine hundred and sixty-three.
- (4) Subsection three of section nineteen shall be deemed to have been amended as from the first day of July, 25 one thousand nine hundred and fifty-five, to the first day of May, one thousand nine hundred and sixty-three, as if the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the 30 board attended" were omitted therefrom and the words "of two hundred and fifty pounds per annum together with a fee of five pounds for each meeting of the board attended with a maximum amount for such fees of three hundred pounds per annum" were substituted therefor.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965 [1s. 0d. (10c)]

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No. , 1965.

A BILL

Relating to the office of President and Vice-President of the Metropolitan Water Sewerage and Drainage Board, the imposition of restrictions on the use of water and limitation of actions against the said Board; for these and other purposes to amend the Metropolitan Water, Sewerage, and Drainage Act, 1924-1964; to validate certain matters; and for purposes connected therewith.

[MR. ASKIN; -2 December, 1965.]

B^E 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 5 follows:—

- 1. (1) This Act may be cited as the "Metropolitan Short title Water, Sewerage, and Drainage (Amendment) Act, 1965". and citation.
- (2) The Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended by subsequent Acts and by proclama10 tions pursuant to section 36A of the said Act and by this Act, may be cited as the Metropolitan Water, Sewerage, and Drainage Act, 1924-1965.
 - 2. (1) The Metropolitan Water, Sewerage, and Drainage Amendment of Act No. 50, 1924-1964, is amended—
- 15 (a) by inserting in section four next after the definition Sec. 4. of "Ratable land" the following new definition: (Definitions,)
 - "Rate book" includes the property cards, punched cards, magnetic devices, any decoding of such cards or devices, tabulations and other records forming part of an automatic data processing system where such system is in force in connection with ratable land.
- (b) (i) by omitting from subparagraph (i) of para- Sec. 7.
 graph (b) of subsection two of section seven (Composithe words "five years" and by inserting in lieu board.)
 thereof the words "seven years";
 - (ii) by omitting paragraph (e) of the same subsection;
 - (iii) by inserting next after the same subsection the following new subsection:—
 - (2A) Any person holding office as president of the board or vice-president of the board shall be deemed to have vacated his office as such on the day upon which he attains the age of sixty-five years, and no person who is

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of or above the age of sixty-five years shall be appointed as president of the board or vicepresident of the board.

- (c) (i) by omitting from subsection one of section Sec. 19.

 nineteen the words "of the board shall be paid" (Remuneraand by inserting in lieu thereof the words tion of
 members.)

 "and vice-president of the board shall respectively be paid";
- (ii) by omitting from subsection two of the same section the words "The president shall not" and by inserting in lieu thereof the words "Neither the president nor the vice-president shall";
- (iii) by omitting from subsection three of the same section the words "The vice-president and each" and by inserting in lieu thereof the word "Each";
 - (iv) by omitting from the same subsection the word "respectively";
- (v) by omitting from the same subsection the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the board attended" and by inserting in lieu thereof the words "of four hundred pounds per annum together with a fee of seven pounds for each meeting of the board attended with a maximum amount for such fees of three hundred and fifty pounds per annum";
 - (vi) by omitting subsection five of the same section;
- (d) by omitting from subsection two of section twenty Sec. 20.

 the words "The vice-president whilst so acting may (When vicepresident be paid such remuneration in addition to the may act as
 remuneration referred to in subsection three of president.)
 section nineteen of this Act as the Governor may
 determine."; (e)

	(e) by inserting at the end of section fifty-one the Sec. 51. following new subsection: — (Board's duty to
5	(3) (a) Where the Minister is of opinion that protect it is necessary in the public interest and for the purpose of maintaining the distribution of the water supply throughout the board's area of operations or in any part or parts thereof to the greatest general advantage, he may, by notification published in the Gazette or in a newspaper circulating in the area or areas to which the notification relates, declare and prescribe from time to time that—
15	 (i) the use for any purpose or by any means or on any days or at any times specified in such notification of water supplied by the board in the area or areas therein described is prohibited, and
20	(ii) such special conditions as may be set out in such notification shall be observed by all persons using for any purpose or by any means or on any days or at any times speci- fied in such notification water supplied by the board in the area or areas therein described.
25	(b) The Minister may by like notification at any time amend, alter, vary or revoke any such notification previously published as aforesaid.
30	(c) Where the Minister considers that it is for any reason impracticable or inexpedient to make any notification in the manner abovementioned a like notification may be made by or on behalf of the Minister verbally or in such other manner including aerial or televised broadcast as the Minister deems expedient in the circumstances of the case.
35	(d) Any person who uses any water supplied by the board in contravention of any notification and blicked and are appropriate to the provisions

tion published under or pursuant to the provisions of this subsection or who fails to comply with the

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terms and conditions of any such notification in any respect shall be liable to a penalty not exceeding fifty pounds.

- (e) The powers conferred by this subsection are in addition to and not in derogation of any other powers conferred by or under this Act in respect of the regulation or prohibition of the use of water.
- (f) by omitting paragraph (f) of section fifty-three and Sec. 53.

 by inserting in lieu thereof the following (Cutting off supply.)

 paragraph:—
 - (f) if the owner or occupier or any person supplied with water by the board does or causes or permits to be done or by any act or omission is directly or indirectly concerned in anything in contravention of any of the provisions of this Act or of the bylaws or of any notification referred to in subsection three of section fifty-one of this Act relating to water supply or fails to do anything which under any of those provisions ought to be done for prevention of the waste misuse undue consumption or contamination of the water of the board or water supplied by it; or

(g) by inserting at the end of paragraph (f) of subsec- Sec. 55. tion five of section fifty-five the following word and (Catchment new paragraph:—

; or

- (g) to grant a license or lease under the Petroleum Act, 1955, as amended by subsequent Acts.
- (h) by omitting from subsection six of section seventy- Sec. 76.
 six the words "for full consideration in money or (Debendaries, etc.)
 - (i) by inserting in paragraph (d1) of subsection one Sec. 88. of section eighty-eight after the word "kinder- (Lands exempted garten" the words "or amenities for the aged"; from rates.)

(i)

- (j) (i) by omitting from subsection two of section Sec. 98.
 ninety-eight the words ", and such entry shall (Inspecbe signed by the president, vice-president, or tion.)
 secretary of the board";
- (ii) by inserting at the end of the same section the following new subsection:—

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- (3) Where an automatic data processing system is in force in connection with ratable land a property card, punched card, magnetic device, any decoding of such cards or devices, tabulations and other records forming part of such system upon production thereof by any officer authorised in that behalf by the board, shall, without any other evidence that the requirements of this Act have been complied with, be received in all courts as prima facie evidence of the facts therein contained.
- (k) by omitting from subsection three of section one Sec. 101.

 hundred and one the words "of two shillings and (Certificate sixpence" and by inserting in lieu thereof the words as to amount "prescribed by by-law";
 - (1) by inserting at the end of subsection three of section (Sec. 132. one hundred and thirty-two the following new (Legal proparagraph:—
- (b) Every such action shall be commenced within the period (in this subsection referred to as "prescribed period") of twelve months next after the occurring of the cause of action: Provided that where an application is made to a judge of the Supreme Court in accordance with rules of court for an extension of the prescribed period the judge may, if he is satisfied that sufficient cause has been shown, or that having regard to all the circumstances of the case, it would be reasonable so to do, make an order for extension of the prescribed period for such further period and subject to such terms and conditions, if any, as may be set out in the order.

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Such application for extension may be made either within the prescribed period or at any time within twelve months thereafter.

Any person who is dissatisfied with the decision of the judge on any such application may appeal to the Supreme Court and that court may on the appeal make any order which ought to have been made in the first instance.

Every such appeal shall be made in accordance with rules of court.

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(m) by omitting from clause 16 of the Fourth Schedule Fourth the words "may be authenticated in the manner Schedule. prescribed by the regulations, and".

- (2) The amendments made by paragraph (b) and 15 subparagraphs (i) and (ii) of paragraph (c) of subsection one of this section shall extend to and in respect of the persons who at the commencement of this Act held the office respectively of president and vice-president.
- (3) The amendment made by subparagraph (v) of 20 paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of May, one thousand nine hundred and sixty-three.
- (4) Subsection three of section nineteen shall be deemed to have been amended as from the first day of July, 25 one thousand nine hundred and fifty-five, to the first day of May, one thousand nine hundred and sixty-three, as if the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the 30 board attended" were omitted therefrom and the words "of two hundred and fifty pounds per annum together with a fee of five pounds for each meeting of the board attended with a maximum amount for such fees of three hundred pounds per annum" were substituted therefor.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1965 [1s. 0d. (10c)]

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METROPOLITAN WATER, SEWERAGE, AND DRAINAGE (AMENDMENT) BILL, 1965.

EXPLANATORY NOTE.

THE objects of this Bill are-

- (a) (i) to provide for a permanent Vice-President as well as a permanent President of the Metropolitan Water Sewerage and Drainage Board;
 - (ii) to extend the term of office of the President and Vice-President from five to seven years;
 - (iii) to provide for the retirement of the President and Vice-President on attaining the age of 65 years;
- (b) to adjust the salaries of the part-time Members of the Board;
- (c) to give the Minister emergency powers to maintain the distribution of water;
- (d) to enable modern punched cards and the like to be used as the Rate Book of the Board;
- (e) to provide for a twelve months period of limitation of actions against the Board;
- (f) to make other provisions consequent upon and ancillary to the foregoing or of a machinery nature.

MATROPOLITAN WATER, SENCEAGE, AND DRAINAGE (AMBROMING) CILL, 1885.

CONTROL NOTA

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[MR. ASKIN;—2 December, 1965.]

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 "Metropolitan Short title Water, Sewerage, and Drainage (Amendment) Act, 1965". and citation.
- (2) The Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended by subsequent Acts and by proclama10 tions pursuant to section 36A of the said Act and by this Act, may be cited as the Metropolitan Water, Sewerage, and Drainage Act, 1924-1965.
 - **2.** (1) The Metropolitan Water, Sewerage, and Drainage Amendment of Act, 1924-1964, is amended—

 One of Act No. 50, 1924.
- of "Ratable land" the following new definition: (Definitions.)

"Rate book" includes the property cards, punched cards, magnetic devices, any decoding of such cards or devices, tabulations and other records forming part of an automatic data processing system where such system is in force in connection with ratable land.

- (b) (i) by omitting from subparagraph (i) of para-Sec. 7.
 graph (b) of subsection two of section seven (Composition of the words "five years" and by inserting in lieu board.)
 thereof the words "seven years";
 - (ii) by omitting paragraph (e) of the same subsection;
 - (iii) by inserting next after the same subsection the following new subsection: —
 - (2A) Any person holding office as president of the board or vice-president of the board shall be deemed to have vacated his office as such on the day upon which he attains the age of sixty-five years, and no person who is of

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of or above the age of sixty-five years shall be appointed as president of the board or vicepresident of the board.

- (c) (i) by omitting from subsection one of section Sec. 19.

 nineteen the words "of the board shall be paid" (Remuneration of and by inserting in lieu thereof the words members.)

 "and vice-president of the board shall respectively be paid";
- (ii) by omitting from subsection two of the same section the words "The president shall not" and by inserting in lieu thereof the words "Neither the president nor the vice-president shall";
- (iii) by omitting from subsection three of the same section the words "The vice-president and each" and by inserting in lieu thereof the word "Each";
 - (iv) by omitting from the same subsection the word "respectively";
- (v) by omitting from the same subsection the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the board attended" and by inserting in lieu thereof the words "of four hundred pounds per annum together with a fee of seven pounds for each meeting of the board attended with a maximum amount for such fees of three hundred and fifty pounds per annum";
 - (vi) by omitting subsection five of the same section;
- (d) by omitting from subsection two of section twenty Sec. 20.
 the words "The vice-president whilst so acting may (When vicepresident be paid such remuneration in addition to the may act as remuneration referred to in subsection three of president.)
 section nineteen of this Act as the Governor may determine.";

 (e)

(e)	by inserting at the end of section fifty-one the Sec. 51.
	following new subsection: — (Board's duty to
	(3) (a) Where the Minister is of opinion that protect supply.)
	it is necessary in the public interest and for the
	purpose of maintaining the distribution of the water
	supply throughout the board's area of operations or in any part or parts thereof to the greatest

general advantage, he may, by notification published in the Gazette or in a newspaper circulating

in the area or areas to which the notification relates,

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declare and prescribe from time to time that—

 (i) the use for any purpose or by any means or on any days or at any times specified in such notification of water supplied by the board in the area or areas therein described

is prohibited, and

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(ii) such special conditions as may be set out in such notification shall be observed by all persons using for any purpose or by any means or on any days or at any times specified in such notification water supplied by the board in the area or areas therein described.

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(b) The Minister may by like notification at any time amend, alter, vary or revoke any such notification previously published as aforesaid.

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(c) Where the Minister considers that it is for any reason impracticable or inexpedient to make any notification in the manner abovementioned a like notification may be made by or on behalf of the Minister verbally or in such other manner including aerial or televised broadcast as the Minister deems expedient in the circumstances of the case.

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(d) Any person who uses any water supplied by the board in contravention of any notification published under or pursuant to the provisions of this subsection or who fails to comply with the

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terms and conditions of any such notification in any respect shall be liable to a penalty not exceeding fifty pounds.

- (e) The powers conferred by this subsection are in addition to and not in derogation of any other powers conferred by or under this Act in respect of the regulation or prohibition of the use of water.
- (f) by omitting paragraph (f) of section fifty-three and Sec. 53.

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 paragraph:—
 - (f) if the owner or occupier or any person supplied with water by the board does or causes or permits to be done or by any act or omission is directly or indirectly concerned in anything in contravention of any of the provisions of this Act or of the bylaws or of any notification referred to in subsection three of section fifty-one of this Act relating to water supply or fails to do anything which under any of those provisions ought to be done for prevention of the waste misuse undue consumption or contamination of the water of the board or water supplied by it; or
 - (g) by inserting at the end of paragraph (f) of subsection five of section fifty-five the following word and (Catchment new paragraph:—

; or

(g) to grant a license or lease under the Petroleum Act, 1955, as amended by subsequent Acts.

- (h) by omitting from subsection six of section seventy- Sec. 76.
 six the words "for full consideration in money or (Debentures, etc.)
- (i) by inserting in paragraph (d1) of subsection one Sec. 88. of section eighty-eight after the word "kinder-(Lands exempted garten" the words "or amenities for the aged"; from rates.)

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 - (3) Where an automatic data processing system is in force in connection with ratable land a property card, punched card, magnetic device, any decoding of such cards or devices, tabulations and other records forming part of such system upon production thereof by any officer authorised in that behalf by the board, shall, without any other evidence that the requirements of this Act have been complied with, be received in all courts as prima facie evidence of the facts therein contained.
- (k) by omitting from subsection three of section one Sec. 101.
 hundred and one the words "of two shillings and (Certificate sixpence" and by inserting in lieu thereof the words amount "prescribed by by-law";
- (1) by inserting at the end of subsection three of section (Sec. 132. one hundred and thirty-two the following new (Legal proparagraph:—

(b) Every such action shall be commenced within the period (in this subsection referred to as "prescribed period") of twelve months next after the occurring of the cause of action: Provided that where an application is made to a judge of the Supreme Court in accordance with rules of court for an extension of the prescribed period the judge may, if he is satisfied that sufficient cause has been shown, or that having regard to all the circumstances of the case, it would be reasonable so to do, make an order for extension of the prescribed period for such further period and subject to such terms and conditions, if any, as may be set out in the order.

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Such application for extension may be made either within the prescribed period or at any time within twelve months thereafter.

Any person who is dissatisfied with the decision of the judge on any such application may appeal to the Supreme Court and that court may on the appeal make any order which ought to have been made in the first instance.

Every such appeal shall be made in accordance with rules of court.

(m) by omitting from clause 16 of the Fourth Schedule Fourth the words "may be authenticated in the manner Schedule. prescribed by the regulations, and".

- (2) The amendments made by paragraph (b) and 15 subparagraphs (i) and (ii) of paragraph (c) of subsection one of this section shall extend to and in respect of the persons who at the commencement of this Act held the office respectively of president and vice-president.
- (3) The amendment made by subparagraph (v) of 20 paragraph (c) of subsection one of this section shall be deemed to have commenced on the first day of May, one thousand nine hundred and sixty-three.
- (4) Subsection three of section nineteen shall be deemed to have been amended as from the first day of July, 25 one thousand nine hundred and fifty-five, to the first day of May, one thousand nine hundred and sixty-three, as if the words "not exceeding four hundred and twenty pounds per annum, to be paid in the form of a fee of such amount as may be prescribed by the regulations for each meeting of the 30 board attended" were omitted therefrom and the words "of two hundred and fifty pounds per annum together with a fee of five pounds for each meeting of the board attended with a maximum amount for such fees of three hundred pounds per annum" were substituted therefor.

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