

FIRST PRINT

**MISCELLANEOUS ACTS (WATER ADMINISTRATION)  
AMENDMENT BILL 1986**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Water Administration Bill 1986.

The object of this Bill is—

- (a) to enable the Minister administering the Crown Lands Consolidation Act 1913 to act as agent for another Minister or a statutory authority;
- (b) to enable the Water Administration Ministerial Corporation ("the Ministerial Corporation" to vary the application of certain provisions of that Act in relation to town land, and land held in fee simple, in irrigation areas; and
- (c) to amend a number of Acts as a consequence of the replacement of the Water Resources Commission by the Ministerial Corporation.

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Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act, with minor exceptions, to commence at the same time as the proposed Water Administration Act 1986.

Clause 3 is a formal provision giving effect to the amendments specified in Schedules 1 and 2.

Clause 4 provides for the transition to the Ministerial Corporation of responsibilities for prior actions under an Act being amended by the proposed Act—

- (a) of the Minister administering the Act being amended; and

(b) of the predecessors of the Ministerial Corporation.

Schedule 1 (1) amends the Crown Lands Consolidation Act 1913 in a manner that enables the Minister administering that Act to act as agent of another Minister or of a statutory authority.

Schedule 1 (2) amends that Act in a manner consequential upon the proposed amendments to the Water Act 1912.

Schedule 1 (3) amends section 142B of that Act in a manner that enables the Ministerial Corporation to modify the application of that section (which relates to town land purchases in irrigation areas).

Schedule 1 (4) amends section 142D of that Act—

(a) in a manner consequential upon proposed amendments to the Water Act 1912; and

(b) in a manner that enables the Ministerial Corporation to modify the application of that section (which relates to conditions attaching to leases within irrigation areas) in so far as that section affects town land leases.

Schedule 1 (5) amends section 144F of that Act in a manner that enables the Ministerial Corporation to modify the application of that section (which relates to the number of allotments within a city, town or village in an irrigation area which may be held by any one person or in the interest of any one person).

Schedule 1 (6) amends section 146B of that Act in a manner that enables the Ministerial Corporation to modify application of that section (which relates to the subdivision of land held in fee simple that is within an irrigation area).

Schedule 2 amends various Acts in a manner consequential upon the replacement of the Water Resources Commission by the Ministerial Corporation.

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**MISCELLANEOUS ACTS (WATER ADMINISTRATION)  
AMENDMENT BILL 1986**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendment of certain Acts
4. Saving

SCHEDULE 1—AMENDMENTS TO THE CROWN LANDS CONSOLIDATION ACT  
1913

SCHEDULE 2—AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF  
THE WATER ADMINISTRATION ACT 1986

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**MISCELLANEOUS ACTS (WATER ADMINISTRATION)  
AMENDMENT BILL 1986**

NEW SOUTH WALES



No. , 1986

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**A BILL FOR**

An Act to amend the Crown Lands Consolidation Act 1913 in relation to town lands and other matters; to amend that Act and certain other Acts as a consequence of the enactment of the Water Administration Act 1986; and for other purposes.

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*Miscellaneous Acts (Water Administration) Amendment 1986*

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**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:

**5 Short title**

1. This Act may be cited as the "Miscellaneous Acts (Water Administration) Amendment Act 1986".

**Commencement**

2. (1) Sections 1 and 2 shall commence on the date of assent to this  
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on the commencement of the Water Administration Act 1986.

**Amendment of certain Acts**

3. Each Act specified in Schedules 1 and 2 is amended in the manner  
15 set forth in those Schedules.

**Saving**

4. If anything that, before the commencement of this Act, was done  
under a provision of an Act amended by this Act by the Minister  
administering the provision or by a predecessor of the Water Administration  
20 Ministerial Corporation—

(a) still had effect immediately before that commencement; and

(b) could have been done by the Water Administration Ministerial  
Corporation if this Act and the Water Administration Act 1986 had  
been in force when it was done,

25 it has effect on and after that commencement as if it had been done by the  
Water Administration Ministerial Corporation.

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## SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE CROWN LANDS CONSOLIDATION ACT  
19135 (1) Section 5 (**Interpretation of terms**)—

Section 5 (2), (2A)—

Omit section 5 (2), insert instead:

10 (2) Except where the Minister and the Ministerial Corporation are referred to in conjunction or in the alternative, and except in subsections (2A) and (2B), a reference in this Act to “the Minister” shall be construed, in its application in relation to an irrigation area, as a reference to the Ministerial Corporation.

15 (2A) The Minister administering this Act may enter into an arrangement with another Minister, or with an authority (including the Ministerial Corporation) constituted by or under an Act, for the exercise by the Minister administering this Act or by his or her delegate, as agent of that other Minister or the authority, of a function of that other Minister or the authority.

20 (2B) A document executed by the Minister or a delegate of the Minister as agent has effect as if it had been executed by the principal.

(2) Section 142 (**Irrigation farm purchases**)—

(a) Section 142 (9B)—

Omit “so much of”.

25 (b) Section 142 (9B)—

Omit “, as is due in respect of water rights which are a fixed charge or for water supplied in respect of water rights attached to the land which are not a fixed charge”.

(3) Section 142B (**Town land purchases**)—

30 Section 142B (1)—

After “purchase”, insert “except in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette”.

SCHEDULE 1—*continued*AMENDMENTS TO THE CROWN LANDS CONSOLIDATION ACT  
1913—*continued*(4) Section 142D (**Conditions attaching to leases within irrigation areas**)—

## (a) Section 142D (1)—

5 After “areas”, insert “except, in the case of a town land lease, in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette”.

## (b) Section 142D (14)—

Omit “so much of”.

## (c) Section 142D (14)—

10 Omit “, as is due in respect of water rights which are a fixed charge or for water supplied in respect of water rights attached to the land which are not a fixed charge”.

(5) Section 144F (**Number of adjoining allotments within a city, town or village which may be held by, or in the interest of, any one person**)—

## Section 144F (1)—

15 Omit “No”, insert instead “Except in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette, no”.

(6) Section 146B (**Subdivision of land held in fee simple**)—

20 Omit “Land”, insert instead “Except in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette, land”.



*Miscellaneous Acts (Water Administration) Amendment 1986*

## SCHEDULE 2

(Sec. 3)

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 19865 **Attachment of Wages Limitation Act 1957 No. 28—**

## Schedule—

Omit "Water Resources Commission", insert instead "Water Administration Ministerial Corporation".

**Balranald Irrigation Act 1902 No. 78—**

## 10 (1) Section 4, definition of "Commission"—

Omit the definition.

## (2) Section 5—

15 Omit "Irrigation Act, 1912, the Water Act, 1912, and the Water Resources Commission Act, 1976", insert instead "Irrigation Act 1912 and the Water Act 1912".

## (3) Section 10—

Omit the section, insert instead:

**Restriction on sale of certain land**

20 10. No part of the land described in the First Schedule shall be sold without the approval of the Governor.

## (4) (a) Section 11 (1) (e)—

Omit "and approved of by the Minister under such regulations as to quantity as the Minister may sanction".

## (b) Section 11 (2)—

25 Omit the subsection.

## (5) (a) Section 21 (1)—

Omit "with the sanction of the Minister".

## (b) Omit ", without such sanction,".

## (6) Section 26—

30 Omit "where it has been determined by the Minister that the Commission has been without wilful default or negligence upon its part unable to supply such water".

## (7) (a) Section 29 (2)—

Omit ", on the recommendation of the Minister,".

*Miscellaneous Acts (Water Administration) Amendment 1986*

SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(b) Section 29 (2)—

Omit “the Minister shall deduct”, insert instead “there shall be deducted”.

(c) Section 29 (4)—

Omit “Commission”, insert instead “Department of Water Resources”.

5 (8) (a) Section 33 (1)—

Omit “Subject to the sanction of the Minister, the”, insert instead “The”.

(b) Section 33 (3)—

Omit “, subject to the sanction aforesaid,”.

**Bush Fires Act 1949 No. 31—**

10 Section 42 (1)—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation, the Department of Water Resources,”.

**Clean Waters Act 1970 No. 78—**

(1) Section 5, definition of “statutory authority”—

15 Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 6 (2) (b) (iii)—

20 Omit “of the Water Resources Commission nominated by the Minister administering the Water Resources Commission Act 1976”, insert instead “and nominee of the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986”.

**Crown Lands (Amendment) Act 1932 No. 69—**

(1) Section 19 (1)—

25 Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 19 (2), (3), (6)—

Omit “Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Crown Lands Consolidation Act 1913 No. 7—**

30 (1) (a) Section 5 (1), definition of “Commission”—

Omit the definition.

*Miscellaneous Acts (Water Administration) Amendment 1986*

SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

- (b) Section 5 (1), definition of “Ministerial Corporation”—  
After the definition of “Minerals”, insert:  
“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.
- 5 (2) (a) Section 138 (1)—  
Omit “Minister”, insert instead “Ministerial Corporation”.
- (b) Section 138 (2), (3)—  
Omit “Commission” wherever occurring, insert instead “Department of Water Resources”.
- 10 (3) Sections 139 (2) (c), (d), (e), 142 (6) (d), (f), (7A), (7B), (9B), (10), 142A (1) (b), (c), 142B (5), (6), (8B), 142D (2), (9), (9A), (14), (15), 143A (3) (c), 144C (5), 144E (3), (4), 145 (5) (a), 147A (7) (iii), (9) (iii), 147D, 147F, 147H, 147I, 147K (1), 147N—  
Omit “Minister” wherever occurring, insert instead “Ministerial Corporation”.
- (4) Section 142—
- 15 (a) Section 142 (6) (d)—  
Omit “by the Commission”.
- (b) Section 142 (6) (f)—  
Omit “under his hand”.
- (c) Section 142 (6) (f)—
- 20 Omit “he”, insert instead “the Ministerial Corporation”.
- (5) (a) Section 142D (9)—  
Omit “by the Commission”.
- (b) Section 142D (9A) (a)—  
Omit “under his hand”.
- 25 (c) Section 142D (9A) (a)—  
Omit “he”, insert instead “the Ministerial Corporation”.
- (6) (a) Section 144F (1) (b)—  
Omit “Minister”, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

- (b) Section 144F (1) (b)—  
Omit “he”, insert instead “the Ministerial Corporation”.
- 5 (7) Section 145A (6)—  
Omit “Minister, whose decision in the matter”, insert instead “Ministerial Corporation, and the decision of the Ministerial Corporation after considering the report”.
- (8) (a) Section 145B (1B)—  
Omit “Commission or the Minister”, insert instead “Ministerial Corporation”.
- 10 (b) Section 145B (3) (a)—  
Omit “Minister”, insert instead “Ministerial Corporation”.
- (9) Section 146B (1)—  
(a) Omit “and the secretary to the Commission has certified that”, insert instead “after”.  
(b) Omit “that” where secondly occurring.
- 15 (10) Section 147E—  
(a) Omit “Minister”, insert instead “Ministerial Corporation”.  
(b) Omit “by the Commission”.  
(c) Omit “Commission” where secondly occurring, insert instead “Ministerial Corporation”.
- 20 (11) Section 147G—  
(a) Omit “the Commission reports”, insert instead “it appears to the Ministerial Corporation”.  
(b) Omit “in the opinion of the Commission”.  
(c) Omit “Minister” wherever occurring, insert instead “Ministerial Corporation”.
- 25 (d) Omit “he may at his discretion”.  
(e) Omit “his opinion”, insert instead “the opinion of the Ministerial Corporation”.
- (12) Section 147J—  
(a) Section 147J (1) (a), (a1), (b), (c), (2)—
- 30 Omit “Minister” wherever occurring, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

- (b) Section 147J (1) (a), (a1)—  
Omit “he”, insert instead “the Ministerial Corporation”.
- (c) Section 147J (1) (b)—  
Omit “by his authorised agents and workmen”.
- 5 (d) Section 147J (1) (c) (ii)—  
Omit “, as determined by the Commission”.
- (e) Section 147J (1) (c) (iii)—  
Omit “as determined by the Commission”.
- (f) Section 147J (4B)—  
10 Omit “for such purposes”.
- (g) Section 147J (4B)—  
Omit “for such terms and upon such conditions as the Minister may approve”.
- Dams Safety Act 1978 No. 96—**  
Section 8 (2) (c)—  
15 Omit “Water Resources Commission constituted under the Water Resources  
Commission Act 1976”, insert instead “Water Administration Ministerial  
Corporation constituted by the Water Administration Act 1986”.
- Darling River (Great Anabranch) and Lake Tandou Water Supply Act 1960 No. 43—**  
(1) Section 2 (1) (c)—  
20 Omit “Water Conservation and Irrigation Commission”, insert instead “Water  
Administration Ministerial Corporation”.
- (2) Section 3—  
Omit “head office of the said Commission”, insert instead “Department of  
Water Resources”.
- 25 **Dried Fruits Act 1939 No. 7—**  
(1) Section 3—  
(a) Definition of “Ministerial Corporation”—  
After the definition of “Member”, insert:  
30 “Ministerial Corporation” means the Water Administration Ministerial  
Corporation constituted by the Water Administration Act 1986.

*Miscellaneous Acts (Water Administration) Amendment 1986*SCHEDULE 2—*continued*AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(b) Definition of “The Commission”—

Omit the definition.

(2) Section 14 (2)—

5 (a) Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

(b) Omit “its officers, inspectors, and servants”, insert instead “the officers of the Department of Water Resources or employees of the Ministerial Corporation”.

10 (c) Omit “such officers, inspectors and servants shall remain employees of”, insert instead “the officer or employee remains an officer of the Department or an employee of”.

(d) Omit “such officers, inspectors and servants” where secondly occurring, insert instead “the officer or employee”.

(e) Omit “their”, insert instead “his or her”.

(3) Section 37—

15 Omit “Commission”, insert instead “Ministerial Corporation”.

**Electricity Commission Act 1950 No. 2—**

(1) Section 3 (1), definition of “Statutory body” or “Statutory body representing the Crown”—

20 Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 13 (a)—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Electricity Development Act 1945 (1946 No. 13)—**

25 Section 4, definition of “Electricity supply authority”—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Environmental Planning and Assessment Act 1979 No. 203—**

Schedule 2, clause 1 (b)—

30 Omit “The Water Resources Commission”, insert instead “The Department of Water Resources”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**Evidence Act 1898 No. 11—**

Section 43C (5), definition of “statutory body representing the Crown”—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**5 Farm Water Supplies Act 1946 No. 22—**

Section 2A (b)—

Omit “Water Resources Commission constituted under section 4 of the Water Resources Commission Act 1976”, insert instead “Water Administration Ministerial Corporation”.

**10 Finances Adjustment Act 1932 No. 27—**

Section 3 (3G)—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Forestry Act 1916 No. 55—**

**15 Section 11A (1), (4)—**

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Glenbawn Dam (Enlargement) Act 1983 No. 134—**

(1) (a) Section 3 (1), definition of “Ministerial Corporation”—

**20 Omit the definition of “Commission”, insert instead:**

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

(b) Section 3 (1), definition of “scheduled works”—

Omit “Commission”, insert instead “Ministerial Corporation”.

**25 (c) Section 3 (2)—**

Omit “Commission” where firstly occurring, insert instead “Water Resources Commission”.

(d) Section 3 (2)—

**30 Omit “Commission” where secondly occurring, insert instead “Department of Water Resources”.**

(2) Section 4 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(3) Section 6 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(4) Schedule 1, item 7—

Omit “Commission”, insert instead “Ministerial Corporation”.

**5 Government and Related Employees Appeal Tribunal Act 1980 No. 39—**

Schedule 4—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Gwydir River System Distributory Works 1974 No. 22—**

10 (1) (a) Section 2 (1), definition of “Ministerial Corporation”—

Omit the definition of “Commission”, insert instead:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(b) Section 2 (1), definition of “scheduled works”—

15 Omit “Commission”, insert instead “Ministerial Corporation”.

(c) Section 2 (2)—

Omit “Commission” where firstly occurring, insert instead “Water Resources Commission”.

(d) Section 2 (2)—

20 Omit “Commission” where secondly occurring, insert instead “Department of Water Resources”.

(2) Section 3 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(3) Section 5 (2)—

25 Omit “Commission”, insert instead “Ministerial Corporation”.

(4) Schedule 1, item 6—

Omit “Commission”, insert instead “Ministerial Corporation”.



*Miscellaneous Acts (Water Administration) Amendment 1986*SCHEDULE 2—*continued*AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued***Hunter Valley Conservation Trust Act 1950 No. 34—**

Section 4 (3) (a) (iv)—

Omit the subparagraph, insert instead:

- 5 (iv) one shall be an officer of the Department of Water Resources nominated by the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

**Hunter Valley Flood Mitigation Act 1956 No. 10—**

(1) (a) Section 2 (1), definition of “Commission”—

Omit the definition.

10 (b) Section 2 (1), definition of “Ministerial Corporation”—

After the definition of “Lower river”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(c) Section 2 (2) (b), (3)—

15 Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

(2) Section 17 (2) (b), (3) (b)—

Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

20 (3) Section 56 (1) (b)—

Omit the paragraph, insert instead:

(b) in any case where the Constructing Authority is the Ministerial Corporation—if signed by a person duly authorised in that behalf by the Ministerial Corporation.

**25 Industrial Arbitration Act 1940 No. 2—**

Schedule 2—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Irrigation Areas (Reduction of Rents) Act 1974 No. 83—**

30 (1) (a) Section 3 (1), paragraph (a) of the definition of “appropriate authority”—

Omit “Commission”, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*SCHEDULE 2—*continued*AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(b) Section 3 (1), definition of “Commission”—

Omit the definition.

(c) Section 3 (1), paragraph (b) of the definition of “lease”—

Omit “Commission”, insert instead “Ministerial Corporation”.

5 (d) Section 3 (1), definition of “Ministerial Corporation”—

After the definition of “lease”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

(2) Section 4 (c)—

10 (a) Omit “Commission”, insert instead “Ministerial Corporation”.

(b) Omit “Commission’s”.

**Irrigation, Water and Rivers and Foreshores Improvement (Amendment) Act 1955 No. 12—**

Section 20 (1) (b), (5)—

15 Omit “Water Conservation and Irrigation Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Land Tax Management Act 1956 No. 26—**

Section 3 (1), definition of “Public authority”—

20 Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Local Government Act 1919 No. 41—**

(1) Section 466A (2) (h)—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

25 (2) Section 469A (3), definition of “Channel land”—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

(3) Section 654 (5) (i)—

Omit “the Water Conservation and Irrigation Commission or”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**Menindee Lakes Storage Agreement Act 1964 No. 4—**

Section 2 (3)—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**5 Mining Act 1973 No. 42—**

Sections 26c (3) (b), 86 (5) (b)—

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**New South Wales—Queensland Border Rivers Act 1947 No. 10—**

**10 (1) Section 4, definition of “Ministerial Corporation”—**

After the definition of “Maintenance”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(2) Sections 14, 20—

**15 Omit “Water Resources Commission” wherever occurring, insert instead “Ministerial Corporation”.**

**New South Wales Retirement Benefits Act 1972 No. 70—**

Schedule 2—

Omit the matter relating to the Water Resources Commission, insert instead:

<b>20</b>	Water Administration Ministerial Corporation.	All persons employed by the Ministerial Corporation.
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**Petroleum Act 1955 No. 28—**

(1) Section 46 (3) (b)—

**25 Omit “Minister for the time being administering the Irrigation Act, 1912”, insert instead “Water Administration Ministerial Corporation”.**

(2) Sections 63 (2), 70 (2) (b)—

**30 Omit “Secretary of the Water Conservation and Irrigation Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.**

*Miscellaneous Acts (Water Administration) Amendment 1986*SCHEDULE 2—*continued*AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued***Pipelines Act 1967 No. 90—**

Section 3 (1), definition of “statutory body representing the Crown”—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**5 Private Irrigation Districts Act 1973 No. 47—**

(1) Section 4 (1)—

(a) Definition of “Commission”—

Omit the definition.

(b) Definition of “local land board”—

10 Omit “Commission”, insert instead “Ministerial Corporation”.

(c) Definition of “Ministerial Corporation”—

After the definition of “member”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

15 (2) Sections 5 (1), 6, 7 (2), 8 (1), 9, 10, 14, 30 (1), 31, 32, 33 (a), 62, 63 (2), 65 (2), 72—

Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

(3) Section 15 (3) (a)—

20 Omit “commission”, insert instead “Ministerial Corporation”.

**Public Authorities (Financial Accommodation) Act 1981 No. 82—**

Schedules 4, 7—

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**25 Public Finance and Audit Act 1983 No. 152—**

Schedule 2—

Omit “Water Resources Commission”.

**Public Service Act 1979 No. 89—**

(1) Schedule 1—

30 After the matter relating to the Treasury, insert:

Department of Water Resources                      Director of the Department

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(2) Schedule 3—

Omit “Water Resources Commission”.

**Public Works Act 1912 No. 45—**

(1) Section 3, definition of “Constructing Authority”—

5 Omit “, and also includes the Water Conservation and Irrigation Commission for the purpose of enabling the said Commission to carry out any authorised work which it is empowered to carry out”.

(2) Section 34 (2)—

Omit “or the Water Conservation and Irrigation Commission”.

10 (3) (a) Section 40 (2) (a)—

Omit “or the carrying out of works which the Water Conservation and Irrigation Commission is, pursuant to a direction given under this Act, required to carry out”, insert instead “where the Water Administration Ministerial Corporation is the Constructing Authority”.

15 (b) Section 40 (2) (c)—

Omit the paragraph.

**Real Property Act 1900 No. 25—**

(1) Sections 13A (3) (b), 13B (3) (b), 13F (a), 13L (1) (e), (2), 13M (2)—

20 Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

(2) Section 13L (1) (e)—

Omit “that Commission”, insert instead “the Water Administration Ministerial Corporation”.

**Returned Soldiers Settlement Act 1916 No. 21—**

25 (1) Section 2 (2A)—

After section 2 (2), insert:

(2A) In this Act, “Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(2) Section 7B—

30 (a) Omit “Water Resources Commission” wherever occurring, insert instead “Ministerial Corporation”.

(b) Omit “such Commission”, insert instead “the Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(3) Section 8 (1)—

Omit “Water Resources Commission” wherever occurring, insert instead “Ministerial Corporation”.

(4) Section 10 (1)—

5 Omit “Water Resources Commission’s”, insert instead “Ministerial Corporation’s”.

(5) Section 10c—

Omit “Water Resources Commission”, insert instead “Ministerial Corporation”.

10 **River Murray Waters Act 1983 No. 86—**

(1) (a) Section 11 (1) (b)—

Omit “is”, insert instead “was”.

(b) Section 11 (1) (b)—

15 After “Commission,”, insert “or is an employee of the Water Administration Ministerial Corporation”.

(c) Section 11 (1) (d)—

After “Commission,”, insert “or as an employee of the Water Administration Ministerial Corporation,”.

(2) Sections 14, 15—

20 Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Rural Assistance Act 1932 No. 33—**

Section 7A (2) (b) (ii)—

25 Omit “Chief Commissioner constituting the Water Resources Commission”, insert instead “Director, Department of Water Resources”.

**Soil Conservation Act 1938 No. 10—**

(1) Section 14 (3)—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*SCHEDULE 2—*continued*AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

## (2) Section 32 (1) (g)—

Omit the paragraph, insert instead:

- 5 (g) the Director, Department of Water Resources or an officer of that  
Department nominated by the Water Administration Ministerial  
Corporation;

**Split Rock Dam Act 1983 No. 143—**

## (1) (a) Section 2 (1), definition of “Ministerial Corporation”—

Omit the definition of “Commission”, insert instead:

- 10 “Ministerial Corporation” means the Water Administration Ministerial  
Corporation constituted by the Water Administration Act 1986;

## (b) Section 2 (1), definition of “scheduled works”—

Omit “Commission”, insert instead “Ministerial Corporation”.

## (c) Section 2 (2)—

- 15 Omit “Commission” where firstly occurring, insert instead “Water Resources  
Commission”.

## (d) Section 2 (2)—

Omit “Commission” where secondly occurring, insert instead “Department of  
Water Resources”.

## (2) Section 3 (2)—

- 20 Omit “Commission”, insert instead “Ministerial Corporation”.

## (3) Section 5 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

## (4) Schedule 1, item 7—

Omit “Commission”, insert instead “Ministerial Corporation”.

25 **State Pollution Control Commission Act 1970 No. 95—**

## Section 18 (2) (g)—

Omit the paragraph, insert instead:

- (g) one shall be an officer of the Department of Water Resources nominated  
by the Water Administration Ministerial Corporation.

*Miscellaneous Acts (Water Administration) Amendment 1986*SCHEDULE 2—*continued*AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued***State Public Service Superannuation Act 1985 No. 45—**

## Schedule 3—

Omit “The Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**5 Statutory and Other Offices Remuneration Act 1975 (1976 No. 4)—**

## Schedule 2, Part 1—

Omit:

Chief Commissioner (under the Water Resources Commission Act, 1976).

10 Commissioner (under the Water Resources Commission Act, 1976), being a full-time commissioner.

**Superannuation Act 1916 No. 28—**

## Schedule III—

Omit “The Water Resources Commission.”.

**War Service Land Settlement Act 1941 No. 43—**

15 (1) Section 2 (1), definition of “Commission”—

Omit the definition.

(2) Section 3 (11)—

20 Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912”, insert instead “the Water Administration Ministerial Corporation”.

(3) Sections 3 (4), 5 (2), 6 (2), 7 (2), (3)—

Omit “Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

(4) Sections 3A (1), 8B, 8DD (3)—

25 Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912–1946” wherever occurring, insert instead “the Water Administration Ministerial Corporation”.

(5) Section 5 (3)—

30 Omit “In”, insert instead “Except in relation to land within an irrigation area, in”.



*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

- (6) (a) Sections 8C (8), 8D (4) (b)—  
Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912–1944” wherever occurring, insert instead “the Water Administration Ministerial Corporation”.
- 5 (b) Section 8C (9)—  
Omit “shall be a corporation sole under the name of the Minister for Lands or the Minister for Conservation according as”, insert instead “(subsection (8) excepted) shall be a corporation sole under the name of Minister for Lands except where”.
- 10 (c) Section 8C (9)—  
Omit “is not or”.
- (7) Section 8CC (7)—  
Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912–1955”, insert instead “the Water Administration Ministerial Corporation”.
- 15
- (8) Section 8EE—  
(a) After “power and”, insert “the Water Administration Ministerial Corporation”.  
(b) Omit “for the time being”, insert instead “who, from time to time before the commencement of the Water Administration Act 1986, was”.
- 20 (9) Section 8F—  
Omit “Water Conservation and Irrigation Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.
- Western Lands Act 1901 No. 70—**  
Section 31 (5)—
- 25 (a) Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.  
(b) Omit “said Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**Workers' Compensation Act 1926 No. 15—**

Section 6 (1), definition of "Employer"—

Omit "Water Resources Commission", insert instead "Water Administration  
Ministerial Corporation".





**MISCELLANEOUS ACTS (WATER ADMINISTRATION)  
AMENDMENT ACT 1986 No. 205**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendment of certain Acts
4. Saving

SCHEDULE 1—AMENDMENTS TO THE CROWN LANDS CONSOLIDATION ACT  
1913

SCHEDULE 2—AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF  
THE WATER ADMINISTRATION ACT 1986

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**MISCELLANEOUS ACTS (WATER ADMINISTRATION)  
AMENDMENT ACT 1986 No. 205**

NEW SOUTH WALES



**Act No. 205, 1986**

An Act to amend the Crown Lands Consolidation Act 1913 in relation to town lands and other matters; to amend that Act and certain other Acts as a consequence of the enactment of the Water Administration Act 1986; and for other purposes. [Assented to 18 December 1986]

*Miscellaneous Acts (Water Administration) Amendment 1986*

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**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**

1. This Act may be cited as the "Miscellaneous Acts (Water Administration) Amendment Act 1986".

**Commencement**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the commencement of the Water Administration Act 1986.

**Amendment of certain Acts**

3. Each Act specified in Schedules 1 and 2 is amended in the manner set forth in those Schedules.

**Saving**

4. If anything that, before the commencement of this Act, was done under a provision of an Act amended by this Act by the Minister administering the provision or by a predecessor of the Water Administration Ministerial Corporation—

(a) still had effect immediately before that commencement; and

(b) could have been done by the Water Administration Ministerial Corporation if this Act and the Water Administration Act 1986 had been in force when it was done,

it has effect on and after that commencement as if it had been done by the Water Administration Ministerial Corporation.

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## SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE CROWN LANDS CONSOLIDATION ACT  
1913(1) Section 5 (**Interpretation of terms**)—

Section 5 (2)-(2B)—

Omit section 5 (2), insert instead:

(2) Except where the Minister and the Ministerial Corporation are referred to in conjunction or in the alternative, and except in subsections (2A) and (2B), a reference in this Act to “the Minister” shall be construed, in its application in relation to an irrigation area, as a reference to the Ministerial Corporation.

(2A) The Minister administering this Act may enter into an arrangement with another Minister, or with an authority (including the Ministerial Corporation) constituted by or under an Act, for the exercise by the Minister administering this Act or by his or her delegate, as agent of that other Minister or the authority, of a function of that other Minister or the authority.

(2B) A document executed by the Minister or a delegate of the Minister as agent has effect as if it had been executed by the principal.

(2) Section 142 (**Irrigation farm purchases**)—

(a) Section 142 (9B)—

Omit “so much of”.

(b) Section 142 (9B)—

Omit “, as is due in respect of water rights which are a fixed charge or for water supplied in respect of water rights attached to the land which are not a fixed charge”.

(3) Section 142B (**Town land purchases**)—

Section 142B (1)—

After “purchase”, insert “except in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette”.

SCHEDULE 1—*continued*AMENDMENTS TO THE CROWN LANDS CONSOLIDATION ACT  
1913—*continued*(4) Section 142D (**Conditions attaching to leases within irrigation areas**)—

## (a) Section 142D (1)—

After “areas”, insert “except, in the case of a town land lease, in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette”.

## (b) Section 142D (14)—

Omit “so much of”.

## (c) Section 142D (14)—

Omit “, as is due in respect of water rights which are a fixed charge or for water supplied in respect of water rights attached to the land which are not a fixed charge”.

(5) Section 144F (**Number of adjoining allotments within a city, town or village which may be held by, or in the interest of, any one person**)—

## Section 144F (1)—

Omit “No”, insert instead “Except in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette, no”.

(6) Section 146B (**Subdivision of land held in fee simple**)—

Omit “Land”, insert instead “Except in such circumstances, and to such extent, as the Ministerial Corporation may declare by order published in the Gazette, land”.

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*Miscellaneous Acts (Water Administration) Amendment 1986*

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## SCHEDULE 2

(Sec. 3)

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986

**Attachment of Wages Limitation Act 1957 No. 28—**

Schedule—

Omit "Water Resources Commission", insert instead "Water Administration Ministerial Corporation".

**Balranald Irrigation Act 1902 No. 78—**

## (1) Section 4, definition of "Commission"—

Omit the definition.

## (2) Section 5—

Omit "Irrigation Act, 1912, the Water Act, 1912, and the Water Resources Commission Act, 1976", insert instead "Irrigation Act 1912 and the Water Act 1912".

## (3) Section 10—

Omit the section, insert instead:

**Restriction on sale of certain land**

10. No part of the land described in the First Schedule shall be sold without the approval of the Governor.

## (4) (a) Section 11 (1) (e)—

Omit "and approved of by the Minister under such regulations as to quantity as the Minister may sanction".

## (b) Section 11 (2)—

Omit the subsection.

## (5) (a) Section 21 (1)—

Omit "with the sanction of the Minister".

## (b) Omit ", without such sanction,".

## (6) Section 26—

Omit "where it has been determined by the Minister that the Commission has been without wilful default or negligence upon its part unable to supply such water".

## (7) (a) Section 29 (2)—

Omit ", on the recommendation of the Minister,".

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(b) Section 29 (2)—

Omit “the Minister shall deduct”, insert instead “there shall be deducted”.

(c) Section 29 (4)—

Omit “Commission”, insert instead “Department of Water Resources”.

(8) (a) Section 33 (1)—

Omit “Subject to the sanction of the Minister, the”, insert instead “The”.

(b) Section 33 (3)—

Omit “, subject to the sanction aforesaid,”.

**Bush Fires Act 1949 No. 31—**

Section 42 (1)—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation, the Department of Water Resources,”.

**Clean Waters Act 1970 No. 78—**

(1) Section 5, definition of “statutory authority”—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 6 (2) (b) (iii)—

Omit “of the Water Resources Commission nominated by the Minister administering the Water Resources Commission Act 1976”, insert instead “and nominee of the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986”.

**Crown Lands (Amendment) Act 1932 No. 69—**

(1) Section 19 (1)—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 19 (2), (3), (6)—

Omit “Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Crown Lands Consolidation Act 1913 No. 7—**

(1) (a) Section 5 (1), definition of “Commission”—

Omit the definition.

*Miscellaneous Acts (Water Administration) Amendment 1986*

SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

- (b) Section 5 (1), definition of “Ministerial Corporation”—

After the definition of “Minerals”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

- (2) (a) Section 138 (1)—

Omit “Minister”, insert instead “Ministerial Corporation”.

- (b) Section 138 (2), (3)—

Omit “Commission” wherever occurring, insert instead “Department of Water Resources”.

- (3) Sections 139 (2) (c), (d), (e), 142 (6) (d), (f), (7A), (7B), (9B), (10), 142A (1) (b), (c), 142B (5), (6), (8B), 142D (2), (9), (9A), (14), (15), 143A (3) (c), 144C (5), 144E (3), (4), 145 (5) (a), 147A (7) (iii), (9) (iii), 147D, 147F, 147H, 147I, 147K (1), 147N—

Omit “Minister” wherever occurring, insert instead “Ministerial Corporation”.

- (4) Section 142—

- (a) Section 142 (6) (d)—

Omit “by the Commission”.

- (b) Section 142 (6) (f)—

Omit “under his hand”.

- (c) Section 142 (6) (f)—

Omit “he”, insert instead “the Ministerial Corporation”.

- (5) (a) Section 142D (9)—

Omit “by the Commission”.

- (b) Section 142D (9A) (a)—

Omit “under his hand”.

- (c) Section 142D (9A) (a)—

Omit “he”, insert instead “the Ministerial Corporation”.

- (6) (a) Section 144F (1) (b)—

Omit “Minister”, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

- (b) Section 144F (1) (b)—  
Omit “he”, insert instead “the Ministerial Corporation”.
- (7) Section 145A (6)—  
Omit “Minister, whose decision in the matter”, insert instead “Ministerial Corporation, and the decision of the Ministerial Corporation after considering the report”.
- (8) (a) Section 145B (1B)—  
Omit “Commission or the Minister”, insert instead “Ministerial Corporation”.
- (b) Section 145B (3) (a)—  
Omit “Minister”, insert instead “Ministerial Corporation”.
- (9) Section 146B (1)—  
(a) Omit “and the secretary to the Commission has certified that”, insert instead “after”.  
(b) Omit “that” where secondly occurring.
- (10) Section 147E—  
(a) Omit “Minister”, insert instead “Ministerial Corporation”.  
(b) Omit “by the Commission”.  
(c) Omit “Commission” where secondly occurring, insert instead “Ministerial Corporation”.
- (11) Section 147G—  
(a) Omit “the Commission reports”, insert instead “it appears to the Ministerial Corporation”.  
(b) Omit “in the opinion of the Commission”.  
(c) Omit “Minister” wherever occurring, insert instead “Ministerial Corporation”.  
(d) Omit “he may at his discretion”.  
(e) Omit “his opinion”, insert instead “the opinion of the Ministerial Corporation”.
- (12) Section 147J—  
(a) Section 147J (1) (a), (a1), (b), (c), (2)—  
Omit “Minister” wherever occurring, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

- (b) Section 147J (1) (a), (a1)—  
Omit “he”, insert instead “the Ministerial Corporation”.
- (c) Section 147J (1) (b)—  
Omit “by his authorised agents and workmen”.
- (d) Section 147J (1) (c) (ii)—  
Omit “, as determined by the Commission”.
- (e) Section 147J (1) (c) (iii)—  
Omit “as determined by the Commission”.
- (f) Section 147J (4B)—  
Omit “for such purposes”.
- (g) Section 147J (4B)—  
Omit “for such terms and upon such conditions as the Minister may approve”.

**Dams Safety Act 1978 No. 96—**

Section 8 (2) (c)—

Omit “Water Resources Commission constituted under the Water Resources Commission Act 1976”, insert instead “Water Administration Ministerial Corporation constituted by the Water Administration Act 1986”.

**Darling River (Great Anabranch) and Lake Tandou Water Supply Act 1960 No. 43—**

(1) Section 2 (1) (c)—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 3—

Omit “head office of the said Commission”, insert instead “Department of Water Resources”.

**Dried Fruits Act 1939 No. 7—**

(1) Section 3—

(a) Definition of “Ministerial Corporation”—

After the definition of “Member”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(b) Definition of “The Commission”—

Omit the definition.

(2) Section 14 (2)—

(a) Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

(b) Omit “its officers, inspectors, and servants”, insert instead “the officers of the Department of Water Resources or employees of the Ministerial Corporation”.

(c) Omit “such officers, inspectors and servants shall remain employees of”, insert instead “the officer or employee remains an officer of the Department or an employee of”.

(d) Omit “such officers, inspectors and servants” where secondly occurring, insert instead “the officer or employee”.

(e) Omit “their”, insert instead “his or her”.

(3) Section 37—

Omit “Commission”, insert instead “Ministerial Corporation”.

**Electricity Commission Act 1950 No. 2—**

(1) Section 3 (1), definition of “Statutory body” or “Statutory body representing the Crown”—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 13 (a)—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Electricity Development Act 1945 (1946 No. 13)—**

Section 4, definition of “Electricity supply authority”—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Environmental Planning and Assessment Act 1979 No. 203—**

Schedule 2, clause 1 (b)—

Omit “The Water Resources Commission”, insert instead “The Department of Water Resources”.



*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**Evidence Act 1898 No. 11—**

Section 43C (5), definition of “statutory body representing the Crown”—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Farm Water Supplies Act 1946 No. 22—**

Section 2A (b)—

Omit “Water Resources Commission constituted under section 4 of the Water Resources Commission Act 1976”, insert instead “Water Administration Ministerial Corporation”.

**Finances Adjustment Act 1932 No. 27—**

Section 3 (3G)—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Forestry Act 1916 No. 55—**

Section 11A (1), (4)—

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Glenbawn Dam (Enlargement) Act 1983 No. 134—**

(1) (a) Section 3 (1), definition of “Ministerial Corporation”—

Omit the definition of “Commission”, insert instead:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

(b) Section 3 (1), definition of “scheduled works”—

Omit “Commission”, insert instead “Ministerial Corporation”.

(c) Section 3 (2)—

Omit “Commission” where firstly occurring, insert instead “Water Resources Commission”.

(d) Section 3 (2)—

Omit “Commission” where secondly occurring, insert instead “Department of Water Resources”.

(2) Section 4 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(3) Section 6 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(4) Schedule 1, item 7—

Omit “Commission”, insert instead “Ministerial Corporation”.

**Government and Related Employees Appeal Tribunal Act 1980 No. 39—**

Schedule 4—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Gwydir River System Distributory Works 1974 No. 22—**

(1) (a) Section 2 (1), definition of “Ministerial Corporation”—

Omit the definition of “Commission”, insert instead:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(b) Section 2 (1), definition of “scheduled works”—

Omit “Commission”, insert instead “Ministerial Corporation”.

(c) Section 2 (2)—

Omit “Commission” where firstly occurring, insert instead “Water Resources Commission”.

(d) Section 2 (2)—

Omit “Commission” where secondly occurring, insert instead “Department of Water Resources”.

(2) Section 3 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(3) Section 5 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(4) Schedule 1, item 6—

Omit “Commission”, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**Hunter Valley Conservation Trust Act 1950 No. 34—**

Section 4 (3) (a) (iv)—

Omit the subparagraph, insert instead:

- (iv) one shall be an officer of the Department of Water Resources nominated by the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

**Hunter Valley Flood Mitigation Act 1956 No. 10—**

(1) (a) Section 2 (1), definition of “Commission”—

Omit the definition.

(b) Section 2 (1), definition of “Ministerial Corporation”—

After the definition of “Lower river”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(c) Section 2 (2) (b), (3)—

Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

(2) Section 17 (2) (b), (3) (b)—

Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

(3) Section 56 (1) (b)—

Omit the paragraph, insert instead:

- (b) in any case where the Constructing Authority is the Ministerial Corporation—if signed by a person duly authorised in that behalf by the Ministerial Corporation.

**Industrial Arbitration Act 1940 No. 2—**

Schedule 2—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Irrigation Areas (Reduction of Rents) Act 1974 No. 83—**

(1) (a) Section 3 (1), paragraph (a) of the definition of “appropriate authority”—

Omit “Commission”, insert instead “Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(b) Section 3 (1), definition of “Commission”—

Omit the definition.

(c) Section 3 (1), paragraph (b) of the definition of “lease”—

Omit “Commission”, insert instead “Ministerial Corporation”.

(d) Section 3 (1), definition of “Ministerial Corporation”—

After the definition of “lease”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

(2) Section 4 (c)—

(a) Omit “Commission”, insert instead “Ministerial Corporation”.

(b) Omit “Commission’s”.

**Irrigation, Water and Rivers and Foreshores Improvement (Amendment) Act 1955 No. 12—**

Section 20 (1) (b), (5)—

Omit “Water Conservation and Irrigation Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Land Tax Management Act 1956 No. 26—**

Section 3 (1), definition of “Public authority”—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Local Government Act 1919 No. 41—**

(1) Section 466A (2) (h)—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

(2) Section 469A (3), definition of “Channel land”—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

(3) Section 654 (5) (i)—

Omit “the Water Conservation and Irrigation Commission or”.

*Miscellaneous Acts (Water Administration) Amendment 1986*SCHEDULE 2—*continued*AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued***Menindee Lakes Storage Agreement Act 1964 No. 4—**

## Section 2 (3)—

Omit “Water Conservation and Irrigation Commission”, insert instead “Water Administration Ministerial Corporation”.

**Mining Act 1973 No. 42—**

## Sections 26c (3) (b), 86 (5) (b)—

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**New South Wales—Queensland Border Rivers Act 1947 No. 10—**

## (1) Section 4, definition of “Ministerial Corporation”—

After the definition of “Maintenance”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

## (2) Sections 14, 20—

Omit “Water Resources Commission” wherever occurring, insert instead “Ministerial Corporation”.

**New South Wales Retirement Benefits Act 1972 No. 70—**

## Schedule 2—

Omit the matter relating to the Water Resources Commission, insert instead:

Water Administration  
Ministerial Corporation.

All persons employed by  
the Ministerial  
Corporation.

**Petroleum Act 1955 No. 28—**

## (1) Section 46 (3) (b)—

Omit “Minister for the time being administering the Irrigation Act, 1912”, insert instead “Water Administration Ministerial Corporation”.

## (2) Sections 63 (2), 70 (2) (b)—

Omit “Secretary of the Water Conservation and Irrigation Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**Pipelines Act 1967 No. 90—**

Section 3 (1), definition of “statutory body representing the Crown”—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Private Irrigation Districts Act 1973 No. 47—**

(1) Section 4 (1)—

(a) Definition of “Commission”—

Omit the definition.

(b) Definition of “local land board”—

Omit “Commission”, insert instead “Ministerial Corporation”.

(c) Definition of “Ministerial Corporation”—

After the definition of “member”, insert:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

(2) Sections 5 (1), 6, 7 (2), 8 (1), 9, 10, 14, 30 (1), 31, 32, 33 (a), 62, 63 (2), 65 (2), 72—

Omit “Commission” wherever occurring, insert instead “Ministerial Corporation”.

(3) Section 15 (3) (a)—

Omit “commission”, insert instead “Ministerial Corporation”.

**Public Authorities (Financial Accommodation) Act 1981 No. 82—**

Schedules 4, 7—

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Public Finance and Audit Act 1983 No. 152—**

Schedule 2—

Omit “Water Resources Commission”.

**Public Service Act 1979 No. 89—**

(1) Schedule 1—

After the matter relating to the Treasury, insert:

Department of Water Resources

Director of the Department

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(2) Schedule 3—

Omit “Water Resources Commission”.

**Public Works Act 1912 No. 45—**

(1) Section 3, definition of “Constructing Authority”—

Omit “, and also includes the Water Conservation and Irrigation Commission for the purpose of enabling the said Commission to carry out any authorised work which it is empowered to carry out”.

(2) Section 34 (2)—

Omit “or the Water Conservation and Irrigation Commission”.

(3) (a) Section 40 (2) (a)—

Omit “or the carrying out of works which the Water Conservation and Irrigation Commission is, pursuant to a direction given under this Act, required to carry out”, insert instead “where the Water Administration Ministerial Corporation is the Constructing Authority”.

(b) Section 40 (2) (c)—

Omit the paragraph.

**Real Property Act 1900 No. 25—**

(1) Sections 13A (3) (b), 13B (3) (b), 13F (a), 13L (1) (e), (2), 13M (2)—

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

(2) Section 13L (1) (e)—

Omit “that Commission”, insert instead “the Water Administration Ministerial Corporation”.

**Returned Soldiers Settlement Act 1916 No. 21—**

(1) Section 2 (2A)—

After section 2 (2), insert:

(2A) In this Act, “Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986.

(2) Section 7B—

(a) Omit “Water Resources Commission” wherever occurring, insert instead “Ministerial Corporation”.

(b) Omit “such Commission”, insert instead “the Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(3) Section 8 (1)—

Omit “Water Resources Commission” wherever occurring, insert instead “Ministerial Corporation”.

(4) Section 10 (1)—

Omit “Water Resources Commission’s”, insert instead “Ministerial Corporation’s”.

(5) Section 10c—

Omit “Water Resources Commission”, insert instead “Ministerial Corporation”.

**River Murray Waters Act 1983 No. 86—**

(1) (a) Section 11 (1) (b)—

Omit “is”, insert instead “was”.

(b) Section 11 (1) (b)—

After “Commission,”, insert “or is an employee of the Water Administration Ministerial Corporation”.

(c) Section 11 (1) (d)—

After “Commission,”, insert “or as an employee of the Water Administration Ministerial Corporation,”.

(2) Sections 14, 15—

Omit “Water Resources Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Rural Assistance Act 1932 No. 33—**

Section 7A (2) (b) (ii)—

Omit “Chief Commissioner constituting the Water Resources Commission”, insert instead “Director, Department of Water Resources”.

**Soil Conservation Act 1938 No. 10—**

(1) Section 14 (3)—

Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.



*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(2) Section 32 (1) (g)—

Omit the paragraph, insert instead:

- (g) the Director, Department of Water Resources or an officer of that Department nominated by the Water Administration Ministerial Corporation;

**Split Rock Dam Act 1983 No. 143—**

(1) (a) Section 2 (1), definition of “Ministerial Corporation”—

Omit the definition of “Commission”, insert instead:

“Ministerial Corporation” means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

(b) Section 2 (1), definition of “scheduled works”—

Omit “Commission”, insert instead “Ministerial Corporation”.

(c) Section 2 (2)—

Omit “Commission” where firstly occurring, insert instead “Water Resources Commission”.

(d) Section 2 (2)—

Omit “Commission” where secondly occurring, insert instead “Department of Water Resources”.

(2) Section 3 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(3) Section 5 (2)—

Omit “Commission”, insert instead “Ministerial Corporation”.

(4) Schedule 1, item 7—

Omit “Commission”, insert instead “Ministerial Corporation”.

**State Pollution Control Commission Act 1970 No. 95—**

Section 18 (2) (g)—

Omit the paragraph, insert instead:

- (g) one shall be an officer of the Department of Water Resources nominated by the Water Administration Ministerial Corporation.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**State Public Service Superannuation Act 1985 No. 45—**

Schedule 3—

Omit “The Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

**Statutory and Other Offices Remuneration Act 1975 (1976 No. 4)—**

Schedule 2, Part 1—

Omit:

Chief Commissioner (under the Water Resources Commission Act, 1976).

Commissioner (under the Water Resources Commission Act, 1976), being a full-time commissioner.

**Superannuation Act 1916 No. 28—**

Schedule III—

Omit “The Water Resources Commission.”.

**War Service Land Settlement Act 1941 No. 43—**

(1) Section 2 (1), definition of “Commission”—

Omit the definition.

(2) Section 3 (11)—

Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912”, insert instead “the Water Administration Ministerial Corporation”.

(3) Sections 3 (4), 5 (2), 6 (2), 7 (2), (3)—

Omit “Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

(4) Sections 3A (1), 8B, 8DD (3)—

Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912–1946” wherever occurring, insert instead “the Water Administration Ministerial Corporation”.

(5) Section 5 (3)—

Omit “In”, insert instead “Except in relation to land within an irrigation area, in”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

(6) (a) Sections 8C (8), 8D (4) (b)—

Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912–1944” wherever occurring, insert instead “the Water Administration Ministerial Corporation”.

(b) Section 8C (9)—

Omit “shall be a corporation sole under the name of the Minister for Lands or the Minister for Conservation according as”, insert instead “(subsection (8) excepted) shall be a corporation sole under the name of Minister for Lands except where”.

(c) Section 8C (9)—

Omit “is not or”.

(7) Section 8CC (7)—

Omit “Minister for the time being charged with the administration of the Irrigation Act, 1912–1955”, insert instead “the Water Administration Ministerial Corporation”.

(8) Section 8EE—

(a) After “power and”, insert “the Water Administration Ministerial Corporation”.

(b) Omit “for the time being”, insert instead “who, from time to time before the commencement of the Water Administration Act 1986, was”.

(9) Section 8F—

Omit “Water Conservation and Irrigation Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

**Western Lands Act 1901 No. 70—**

Section 31 (5)—

(a) Omit “Water Resources Commission”, insert instead “Water Administration Ministerial Corporation”.

(b) Omit “said Commission” wherever occurring, insert instead “Water Administration Ministerial Corporation”.

*Miscellaneous Acts (Water Administration) Amendment 1986*

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SCHEDULE 2—*continued*

AMENDMENTS CONSEQUENTIAL UPON THE ENACTMENT OF THE WATER  
ADMINISTRATION ACT 1986—*continued*

**Workers' Compensation Act 1926 No. 15—**

Section 6 (1), definition of "Employer"—

Omit "Water Resources Commission", insert instead "Water Administration  
Ministerial Corporation".