

**WATER ADMINISTRATION (TRANSFER OF FUNCTIONS)  
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 to enable the Water Administration Ministerial Corporation to transfer the responsibility for certain works to the Minister administering the Public Works Act 1912.

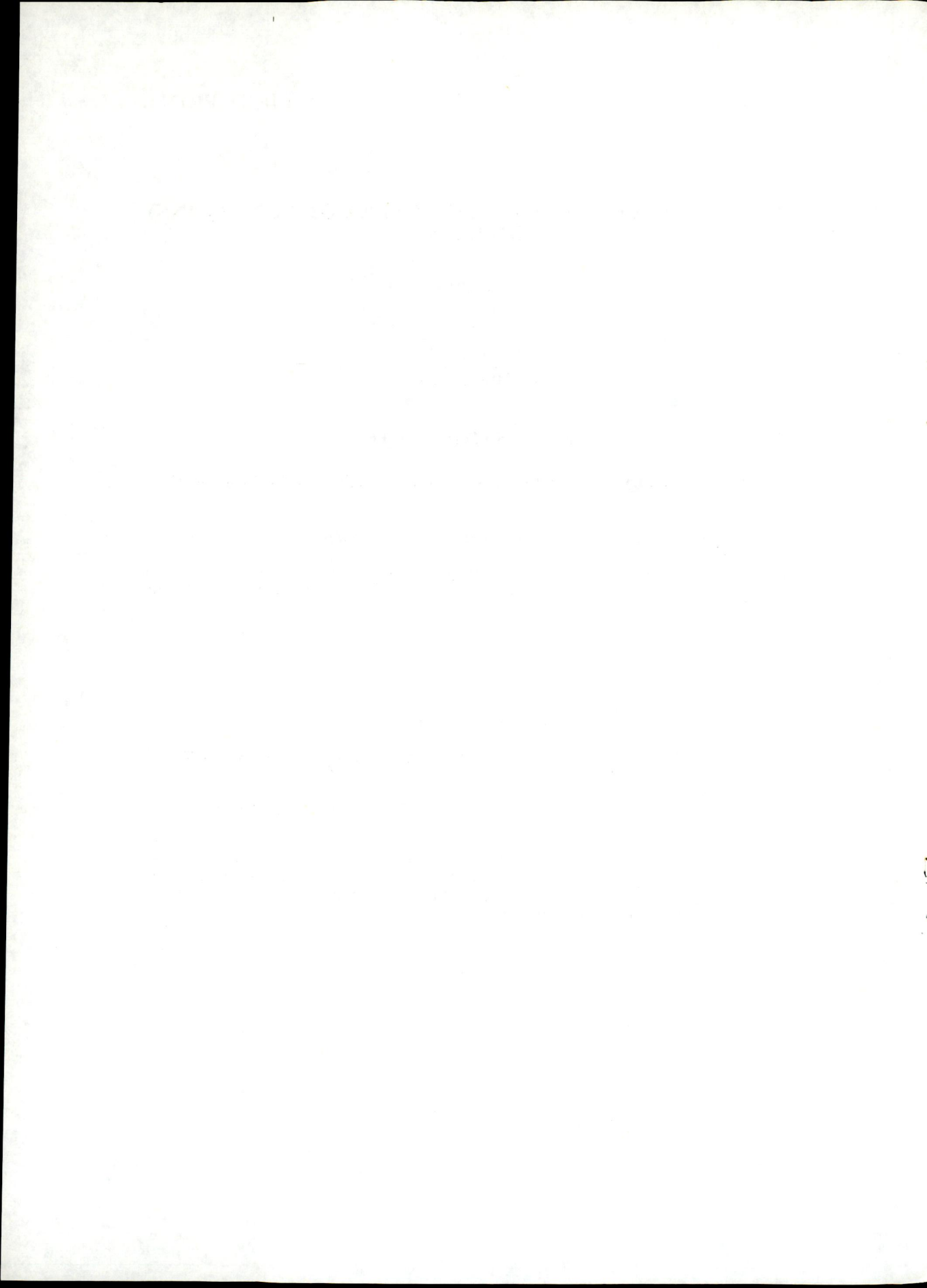
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Clause 1 specifies the short title of the proposed Act.

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

Clause 3 provides for the interpretation of expressions used in the proposed Act.

Clause 4 enables the Water Administration Ministerial Corporation, by notice in writing to the other party to a contract with the Ministerial Corporation or any of its predecessors, to transfer its rights and obligations under the contract (including rights and liabilities under current legal proceedings or arbitration) to the Minister administering the Public Works Act 1912.



# WATER ADMINISTRATION (TRANSFER OF FUNCTIONS) BILL 1986

NEW SOUTH WALES



## TABLE OF PROVISIONS

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**WATER ADMINISTRATION (TRANSFER OF FUNCTIONS)  
BILL 1986**

NEW SOUTH WALES



No. , 1986

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**A BILL FOR**

An Act to enable certain contracts to be carried out by the Minister for Public Works instead of by the Water Administration Ministerial Corporation.

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*Water Administration (Transfer of Functions) 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 "Water Administration (Transfer of Functions) 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.

**Interpretation**

3. In this Act—

15 "Contractor" means the party who is "the Contractor" within the meaning of a contract made with the Ministerial Corporation or any of its predecessors;

"Minister for Public Works" means the Minister of the Crown for the time being administering the Public Works Act 1912;

20 "Ministerial Corporation" means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

"Principal" means the party referred to in a contract with a Contractor as "the Principal".

**Change of Principal under contract**

25 4. (1) The Ministerial Corporation may serve on a Contractor a notice in writing stating that, on and from a date that is specified in the notice and is later than the date of service, the Minister for Public Works, or some other person specified in the notice, will be the Principal under a specified contract.

*Water Administration (Transfer of Functions) 1986*

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(2) On and from the date specified in a notice served under subsection (1)—

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- (a) the Minister for Public Works or other person specified becomes for all purposes the Principal under the contract to which the notice relates;
- (b) anything done or omitted under the contract by the Ministerial Corporation or any of its predecessors shall be deemed to have been done or omitted by the Minister for Public Works or other person specified;
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- (c) any legal proceedings instituted under the contract, and not finally determined, before that date by or against the Ministerial Corporation or any of its predecessors shall be deemed to be legal proceedings by or against the Minister for Public Works or other person specified; and
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- (d) any proceedings under the contract by way of arbitration between the Ministerial Corporation or any of its predecessors and another person that have not been finally determined before that date shall be deemed to be proceedings by way of arbitration between the Minister for Public Works and that other person.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1986





**WATER ADMINISTRATION (TRANSFER OF FUNCTIONS)  
ACT 1986 No. 204**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

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**WATER ADMINISTRATION (TRANSFER OF FUNCTIONS) ACT  
1986 No. 204**

NEW SOUTH WALES



**Act No. 204, 1986**

An Act to enable certain contracts to be carried out by the Minister for Public Works instead of by the Water Administration Ministerial Corporation. [Assented to 18 December 1986]

*Water Administration (Transfer of Functions) 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 "Water Administration (Transfer of Functions) 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.

**Interpretation**

3. In this Act—

"Contractor" means the party who is "the Contractor" within the meaning of a contract made with the Ministerial Corporation or any of its predecessors;

"Minister for Public Works" means the Minister of the Crown for the time being administering the Public Works Act 1912;

"Ministerial Corporation" means the Water Administration Ministerial Corporation constituted by the Water Administration Act 1986;

"Principal" means the party referred to in a contract with a Contractor as "the Principal".

**Change of Principal under contract**

4. (1) The Ministerial Corporation may serve on a Contractor a notice in writing stating that, on and from a date that is specified in the notice and is later than the date of service, the Minister for Public Works, or some other person specified in the notice, will be the Principal under a specified contract.

*Water Administration (Transfer of Functions) 1986*

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(2) On and from the date specified in a notice served under subsection (1)—

- (a) the Minister for Public Works or other person specified becomes for all purposes the Principal under the contract to which the notice relates;
- (b) anything done or omitted under the contract by the Ministerial Corporation or any of its predecessors shall be deemed to have been done or omitted by the Minister for Public Works or other person specified;
- (c) any legal proceedings instituted under the contract, and not finally determined, before that date by or against the Ministerial Corporation or any of its predecessors shall be deemed to be legal proceedings by or against the Minister for Public Works or other person specified; and
- (d) any proceedings under the contract by way of arbitration between the Ministerial Corporation or any of its predecessors and another person that have not been finally determined before that date shall be deemed to be proceedings by way of arbitration between the Minister for Public Works and that other person.

