

First print



New South Wales

Water Amendment (Charges) Bill 1996

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to enable charges to be imposed for the taking and use of water in accordance with a water entitlement under the *Water Act 1912* in the case of any river or lake where the State manages the sharing and use of water. At present the charges concerned are limited by section 22C of that Act to rivers and lakes where the State has undertaken works to augment, stabilise or assure the flow of water.

The Bill will also make it clear that the charges concerned may be fixed at a specified amount rather than only at a specified rate.

Water Amendment (Charges) Bill 1996

Explanatory note

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent.

Clause 3 is a formal provision giving effect to the amendments to the *Water Act 1912* set out in Schedule 1.

Schedule 1 amends section 22C of the *Water Act 1912* to give effect to the above object.

First print



New South Wales

Water Amendment (Charges) Bill 1996

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Water Act 1912 No 44	2
 Schedule 1 Amendments	 3



New South Wales

Water Amendment (Charges) Bill 1996

No. , 1996

A Bill for

An Act to amend the *Water Act 1912* with respect to charges for the right to take and use water from rivers and lakes.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Water Amendment (Charges) Act 1996*.

2 Commencement

This Act commences on the date of assent.

5

3 Amendment of Water Act 1912 No 44

The *Water Act 1912* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 22C Charge if flow of water assured by work of the Crown or water managed by the State

Insert after section 22C (2): 5

(2A) The Ministerial Corporation may, by order published in the Gazette, declare that the sharing and use of water from any river, lake or section of river is managed by the State.

[2] Section 22C (3) (b) 10

Omit "a proclamation under subsection (2)".
Insert instead "an order under subsection (2) or (2A)".

[3] Section 22C (4) (a1)

Omit "proclamation referred to in subsection (2)".
Insert instead "order referred to in subsection (2) or (2A)". 15

[4] Section 22C (4)

Insert at the end of the subsection:

Without limiting the above, the charge payable under subsection (3) may be a specified amount if means for measuring the quantity of water taken and used are not available or if there is other good cause to do so. 20

[5] Section 22C (6)

Insert "in connection with an order under subsection (2)" after "payable under this section".

[6] Section 22C (6AA)

Insert after section 22C (6):

(6AA) The Ministerial Corporation must, when fixing the amount of a charge payable under this section in connection with an order under subsection (2A), have regard to the benefits received by the holder of the entitlement (including, in relation to a group licence, each of the group licence occupiers) as a result of the management by the State of the sharing and use of water from the river, lake or section of river. 5
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[7] Section 22C (7)

Insert "in connection with an order under subsection (2)" after "charge".

[8] Section 22C (8)

Omit "proclamation under subsection (2)". 15
Insert instead "order under subsection (2) or (2A)".

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Water Amendment (Charges) Bill 1996

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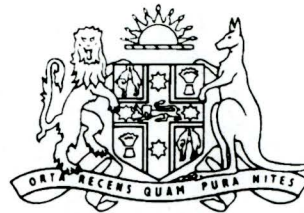
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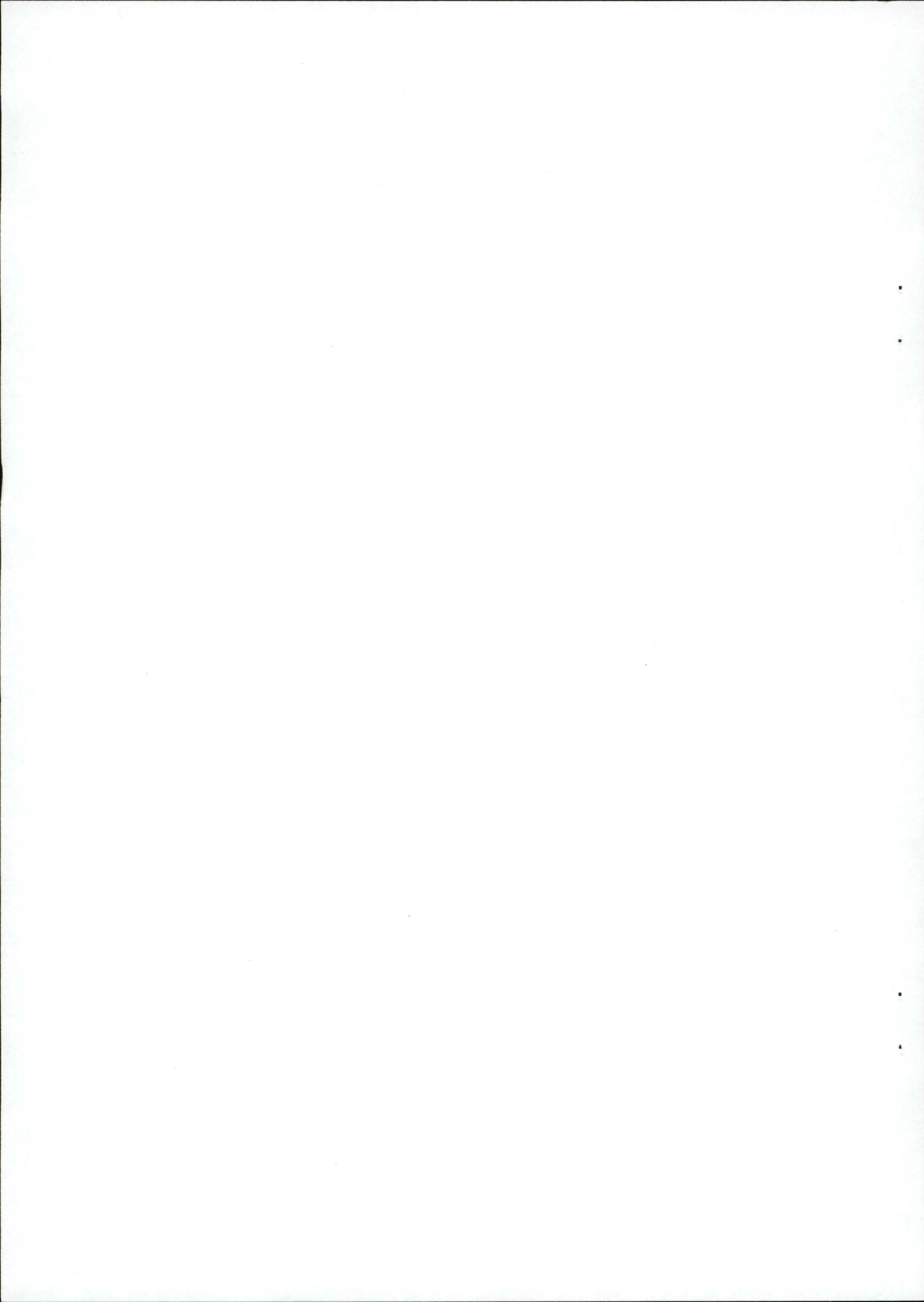


New South Wales

Water Amendment (Charges) Bill 1996

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Water Act 1912 No 44	2
 Schedule 1 Amendments	 3





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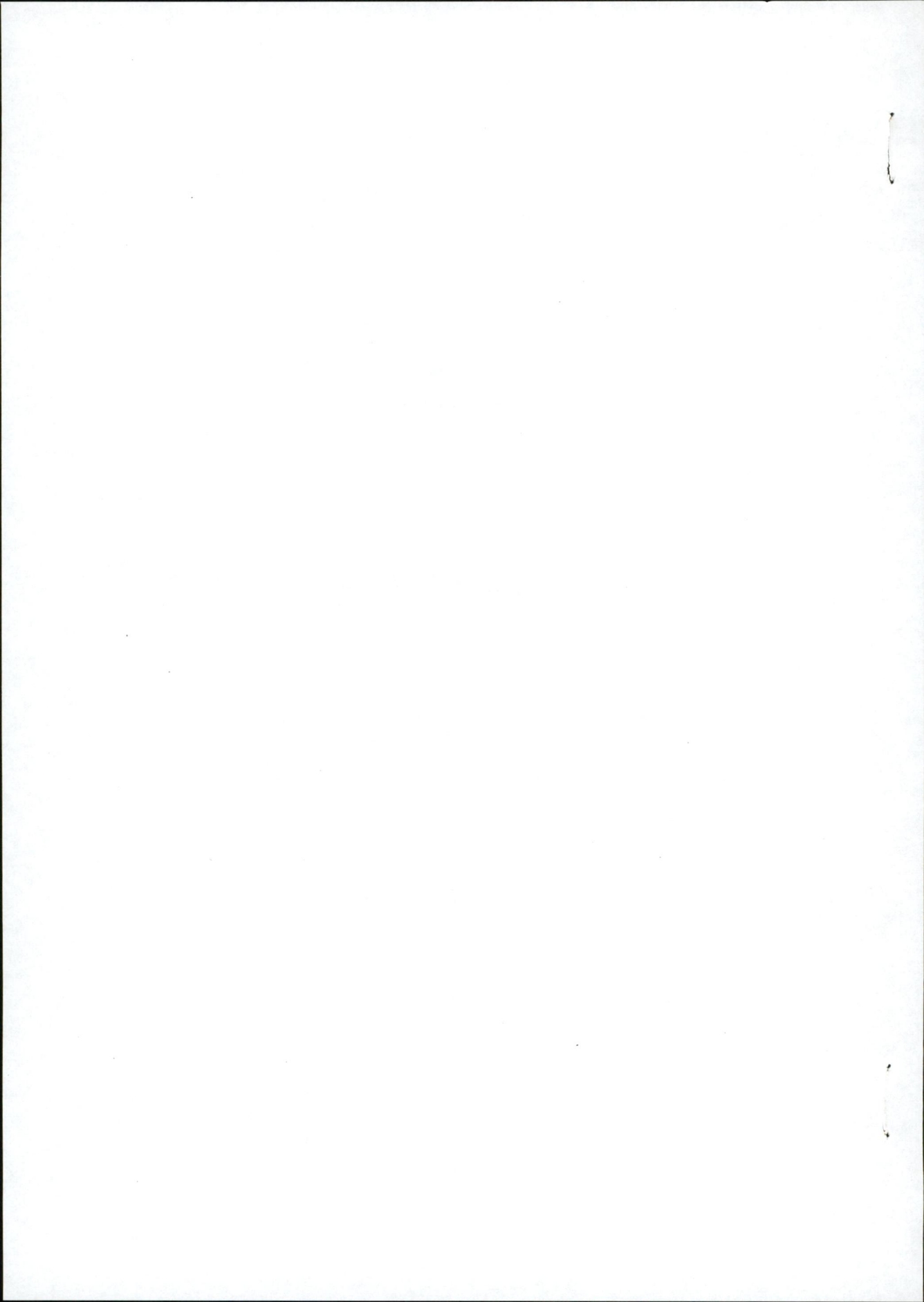


New South Wales

Water Amendment (Charges) Act 1996 No 47

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Water Act 1912 No 44	2
 Schedule 1 Amendments	 3





New South Wales

Water Amendment (Charges) Act 1996 No 47

Act No 47, 1996

An Act to amend the *Water Act 1912* with respect to charges for the right to take and use water from rivers and lakes. [Assented to 28 June 1996]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Water Amendment (Charges) Act 1996*.

2 Commencement

This Act commences on the date of assent.

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The *Water Act 1912* is amended as set out in Schedule 1.

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(Section 3)

[1] Section 22C Charge if flow of water assured by work of the Crown or water managed by the State

Insert after section 22C (2):

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[Minister's second reading speech made in—
Legislative Assembly on 19 June 1996
Legislative Council on 26 June 1996]

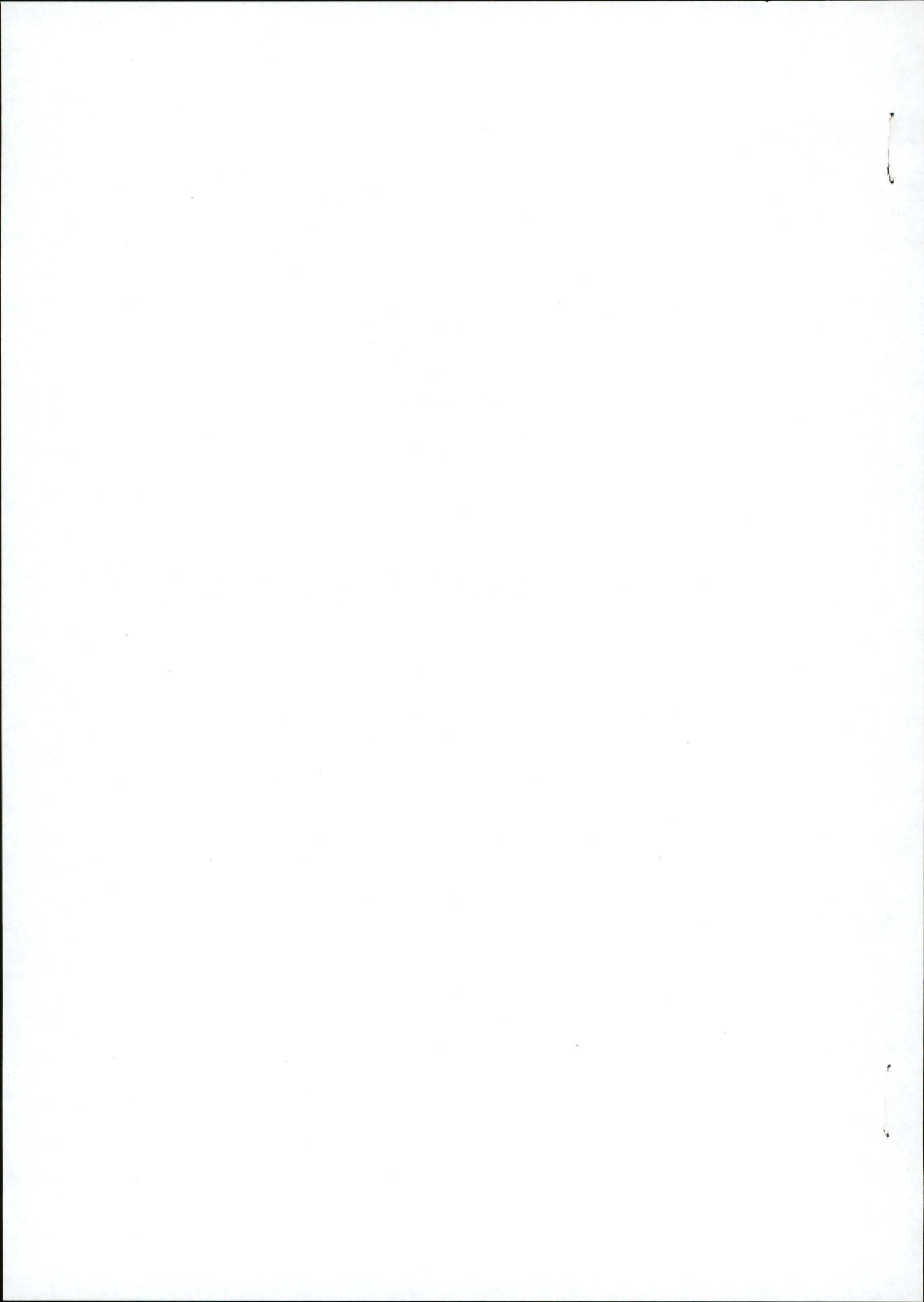


New South Wales

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Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Water Act 1912 No 44	2
 Schedule 1 Amendments	 3





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