

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.

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 7 April, 1916.

New South Wales.



ANNO SEXTO

GEORGII V REGIS.

Act No. 13, 1916.

An Act to amend the Metropolitan Water and Sewerage Acts, 1880-1889, the Metropolitan Water and Sewerage Act Extension Act of 1894, the Local Government Act, 1906, the Wollongong Water Supply Works Act, 1900 ; to repeal the Parramatta Sewerage and Drainage Act, 1905 ; to amend the law relating to water supply, sewerage and drainage ; and for purposes consequent thereon or incidental thereto. [Assented to, 17th April, 1916.]

BE

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

THOS. H. THROWER,
Chairman of Committees of the Legislative Assembly.

Metropolitan Water and Sewerage Amendment.

BE it enacted by the King'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:—

Preliminary.

Short title. **1.** This Act may be cited as the "Metropolitan Water and Sewerage Amendment Act, 1916," and shall be construed with the Metropolitan Water and Sewerage Acts, 1880-1894.

Definitions. **2.** In this Act, except where the subject matter or context or other provisions thereof require a different construction, and in any by-laws or regulations made under the Metropolitan Water and Sewerage Acts, 1880-1916:—

"Metropolitan Water and Sewerage Acts, 1880-1916" means the Metropolitan Water and Sewerage Acts, 1880-1889, the Metropolitan Water and Sewerage Act Extension Act of 1894, and this Act.

All other expressions used in this Act shall have the respective meanings which they have in the Metropolitan Water and Sewerage Acts, 1880-1894.

Repeal
Parramatta
Sewerage and
Drainage Act,
1905. **3.** (1) The Parramatta Sewerage and Drainage Act, 1905, and so much of the provisions of the Local Government Act, 1906, and any Act amending the same, as enable the council of the municipality of Parramatta to establish, maintain, or manage, or to acquire the right to establish, maintain, or manage works of water supply or of sewerage or drainage, are hereby repealed:

Provided that all rates, charges, and sums of money which under the Acts hereby repealed are at the commencement of this Act due and payable to or leviable by the council of the municipality of Parramatta, shall be paid to and may be received, levied, and recovered by the Board, and shall remain a charge on the property in respect of which the same are payable until such rates, charges, and sums of money have been paid to the Board; and all rights and liabilities acquired and incurred, except as hereinafter provided, and all contracts and

Metropolitan Water and Sewerage Amendment.

and undertakings entered into, all securities lawfully given, and all actions, suits, and proceedings pending at the commencement of this Act, by or against the said council, shall respectively be vested and attach, and may be enforced, realised, carried on, and prosecuted by or against the Board, and no such action, suit, or proceeding shall abate or be discontinued, or be prejudicially affected by the operation of this Act :

Provided also that the rights, powers, and liabilities of the council of the municipality of Parramatta, under the enactments hereby repealed, shall from the commencement of this Act be deemed to be vested in and to attach to the Board.

(2) Section five of the Wollongong Water Supply Works Act, 1900, is hereby repealed.

(3) Subsection two of section five of the Metropolitan Water and Sewerage Act Extension Act of 1894 is hereby repealed.

Repeal s. 5
Wollongong
Water Supply
Works Act, 1900.
Repeal s. 5 (2)
Metropolitan
Water and
Sewerage Act
Extension Act,
1894.

Extensions to works outside of county of Cumberland.

4. Notwithstanding anything to the contrary contained in any Act, the powers and authorities granted to, and the duties and liabilities imposed on, the board by the Metropolitan Water and Sewerage Acts, 1880-1916, may be exercised in, and shall be applicable to, and the said Acts shall apply to any place or district outside the county of Cumberland to which the Governor may, by proclamation in the Gazette, declare that the said Acts are extended.

Powers and
liabilities of
board may by
proclamation
be extended
to any place.

The mayors and aldermen of all municipalities, and the presidents and councillors of all shires, the areas of which are situated, wholly or in part, within any place or district to which the said Acts apply, or to which such Acts have been applied under this section, shall be qualified as electors of suburban members of the board.

5. A copy of or extracts from the assessment book as to the amount of any valuation or rate may be entered in a special book to be kept for the purpose, and such entries shall, when completed, be signed by the president or vice-president; and such entries purporting to be signed as aforesaid shall, upon production

Extracts as to
valuations
and rates
to be entered
in special
book.
(Hunter
District
Amending
Act, 1897.)

Metropolitan Water and Sewerage Amendment.

production thereof by any officer of the Board authorised in that behalf, without any other evidence that the requirements of the Metropolitan Water and Sewerage Acts, 1880-1916, have been complied with, be received as prima facie evidence in all courts of the facts therein contained.

Exemption from rates.

Supply of water free of charge to hospitals and public charitable institutions. **6.** The board may exempt from the payment of water rates any public hospital or any building or premises used exclusively for any public charitable purpose, and may supply water free of charge to any such hospital, building, or premises, subject to the following conditions:—

- (a) the quantity to be supplied free of charge shall be fifty gallons per day for every person resident in a public hospital, and thirty gallons per day for every person resident in such building or premises as aforesaid.
- (b) the number of persons resident as aforesaid shall be the average number of persons resident during the year immediately preceding the year in respect of which charges would be payable;
- (c) the board may require that the supply of water to any hospital, building, or premises as aforesaid shall be through a meter, and any quantity of water used in excess of that which may be supplied free of charge shall be paid for according to the scale of charges prescribed for the supply of water by measure.

Water supply and sewerage in the case of churches and Sunday schools. **7.** (1) The board may exempt from the payment of water rates and sewerage rates (including water rates and sewerage rates due and unpaid on the commencement of this Act) any cathedral, church, chapel, or other building used exclusively for public worship, and any building used exclusively as a Sunday school or for religious teaching only.

(2) Where any such premises are actually supplied with the water of the board, such supply shall be by meter, and the quantity consumed shall be paid for according to the scale of charges prescribed for the supply of water by measure:

Provided

Metropolitan Water and Sewerage Amendment.

Provided that where the meter so used is hired from the board, water shall be supplied free of charge to a value equal to the amount paid as hire of the meter.

8. The board may exempt from the payment of ^{Parks, &c.} water rates any public parks or gardens or land vested in trustees for public recreation, health, or enjoyment, and may supply water or any prescribed quantity of water to any such park, garden, or land, or for the practice of any fire brigade free of charge, but subject to such conditions as may be prescribed.

Domestic supply.

9. A supply of water for domestic purposes shall ^{Domestic} not include a supply of water for cattle or for horses, ^{supply.} or for watering gardens.

Power of entry.

10. The board may by its officers and servants at ^{Power to} all reasonable times in the daytime enter any private ^{enter land.} lands and premises for the purpose of making any inspection in connection with water supply, sewerage, or drainage.

Licenses.

11. (1) The board may, on such terms as to the ^{Board may} passing of examinations and the payment of fees as may ^{issue licenses.} be prescribed, issue licenses to persons authorising them to supervise and perform works in connection with water supply, sewerage, and drainage.

(2) The board may suspend or cancel any license ^{License may} issued as aforesaid. ^{be cancelled.}

(3) No person shall commence or perform any ^{Unlicensed} work, in connection with water supply, sewerage, or ^{persons not} drainage which communicates or is intended to com- ^{to do work} municate directly or indirectly with the pipes, sewers, ^{except under} or drains of the board, unless he is the holder of a license ^{supervision.} issued as aforesaid or is under the immediate super- vision of a holder of such license in charge of the work.

(4)

Metropolitan Water and Sewerage Amendment.

Penalty for
doing work
without
license.

(4) Any person not being the holder of such license, and not being under the immediate supervision of a holder of such license in charge of the work, who commences or performs any such work, shall be liable to a penalty of not less than twenty shillings nor more than ten pounds. Any person who knowingly employs any person to commence or perform any such work in contravention of the above provision shall be liable to a penalty of not less than twenty shillings nor more than ten pounds.

Board may
remove work
done by
unlicensed
person.

(5) The board may direct and compel all defective and improper work done without the required supervision by a person who is not the holder of such a license to be removed or altered to its satisfaction. Unless such removal or alteration be effected within twenty-four hours after notice given to the owner or occupier of the premises, the board may by its officers, servants, and workmen, enter any land or premises and remove such work or effect the necessary alterations thereto. The expense of removal or alteration may be recovered by the board from the person performing the work or from any person who has employed any person who is not the holder of such license to perform the work, knowing him to be not the holder of such license.

License of
board alone
to have
validity.

(6) No license issued by any authority other than the board shall entitle the holder thereof to commence or perform any work in connection with water supply, sewerage, or drainage, which communicates with the pipes, sewers, or drains of the board.

By-laws.

Power to
make
additional
by-laws.

12. The board may, under and subject to the provisions of the Metropolitan Water and Sewerage Acts, 1880-1916, make by-laws—

- (a) for preventing the fouling or contamination of water within the metropolitan catchment area and for the preservation of the purity of such water;
- (b) for regulating the use of water supplied by the board for domestic or other purposes, and
the

Metropolitan Water and Sewerage Amendment.

- the consumption and method of consumption of such water, whether the supply be through meter or otherwise ;
- (c) for prohibiting the use or consumption of water supplied by the board otherwise than in accordance with the by-laws of the board ;
 - (d) for compelling persons to provide storage tanks for storing the water of the board, and regulating the construction and maintenance of such tanks ;
 - (e) generally for exercising the powers and carrying out and giving effect to the provisions contained in the Metropolitan Water and Sewerage Acts 1880-1916.

Parramatta water supply, sewerage, and drainage.

13. All the lands, works, or property of any kind appropriated, resumed, acquired, constructed, or provided under or in accordance with the Parramatta Sewerage and Drainage Act, 1905, and transferred to the council of the municipality of Parramatta (hereinafter in this and the succeeding sections referred to as the council) by proclamation in the Gazette, No. 54, of the twentieth day of April, one thousand nine hundred and ten, and all easements, rights of way, or property of any description acquired in connection with any of the works therein described, and all the works described in the Second Schedule to the said Act, shall, from the commencement of this Act, be removed from the administration and management of the council, and shall be vested in the Board as if such land, works, or property had been acquired, constructed, or provided by the Minister, and transferred to the Board in accordance with the provisions of the Metropolitan Water and Sewerage Act of 1880, or any Act amending the same.

14. Any sums of money due and owing by the council under the Parramatta Sewerage and Drainage Act, 1905, to the Consolidated Revenue Fund at the commencement of this Act shall be paid by the council, and may be recovered by the Colonial Treasurer as if this Act had not been passed.

Vesting of Parramatta sewerage and drainage works in the Board.

Payments due by council in respect of the said works.

Any

Metropolitan Water and Sewerage Amendment.

Any liability of the council under the Parramatta Sewerage and Drainage Act, 1905, to pay moneys accruing due to the Consolidated Revenue Fund after the commencement of this Act is extinguished.

15. (1) The Board shall, subject as hereinafter provided, take over and assume control of all works of water supply required for the future maintenance or extension of the water supply service at present vested in the council.

Board to assume control of Parramatta water supply.

(2) A valuation shall be made of such works, and if the council and the Board fail to agree as to the valuation and extent of the works to be taken over, the matter shall be submitted to two arbitrators appointed respectively by the council and the Board, and the provisions of the Arbitration Act, 1902, shall apply thereto.

Arbitration.

(3) The Board shall, immediately after the valuation and extent of the works to be taken over shall have been determined, transmit a statement thereof to the Minister, who shall publish a list of the works to be taken over, which shall thereupon be vested in the Board, and all powers and authorities whatsoever then by law vested in and exercisable by the council shall absolutely cease and determine, and all the lands, works and property of whatever kind specified in such notice shall be transferred from the council, and all the estate and interest of the council shall be absolutely vested in the Board.

Vesting.

16. The Minister shall report the amount of the valuation determined upon in the next preceding section, to the Colonial Treasurer, and the Colonial Treasurer shall pay the amount to the council, for which purpose the Consolidated Revenue Fund is hereby appropriated accordingly. Any amount so paid shall be applied by the council primarily in discharging any loan indebtedness incurred in respect of the construction of works of water supply.

Colonial Treasurer to pay value of water works to council.

17. The amount so paid by the Colonial Treasurer in accordance with the next preceding section, and the balance of the whole amount payable by the council in accordance with the provisions of the Parramatta Sewerage and Drainage Act, 1905, after deducting the sum

Board to be charged with cost of works.

Metropolitan Water and Sewerage Amendment.

sum of any payments made by the council under the said Act before or after the commencement of this Act, shall be charged against the Board, and the Board shall, with respect to such amount, assume all the liabilities and obligations which attach or are imposed with respect to any amounts expended on any works constructed by the Minister, and transferred to the Board in accordance with the Metropolitan Water and Sewerage Acts of 1880-1894.

18. All water supply, sewerage, or drainage valuation or rate books, or any books, vouchers, documents, or records of any kind whatsoever relating to or which might have relation to the recovery of money or other property by this Act transferred to the Board, shall, except in so far as such are necessary for the conduct of the business of the council, be and become the property of the Board, which may require the council, within one month of demand, to hand over such books, vouchers, documents, or records; and the council, if default be committed in complying with the provisions of this section, shall be liable to a penalty of ten pounds for every day, or part of a day, during which such default continues, and such penalty may be recovered by the Board in any court of competent jurisdiction as a debt due to the Board.

Certain
books, docu-
ments, &c.,
to be the
property of
Board.

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

G. STRICKLAND,

*Government House,
Sydney, 17th April, 1916.*

Governor.

January 1, 1914

REPORT OF THE COMMISSIONERS OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

ON APRIL 1, 1913

ALBANY: THE STATE PRINTING OFFICE, 1914.

Price, 10 CENTS.

Copyright, 1914, by the State of New York.

Published by authority of the Senate.

Approved for publication, January 1, 1914.

W. W. LADD, COMMISSIONER OF THE LAND OFFICE.

ALBANY: THE STATE PRINTING OFFICE, 1914.

Price, 10 CENTS.

Copyright, 1914, by the State of New York.

Published by authority of the Senate.

Approved for publication, January 1, 1914.

W. W. LADD, COMMISSIONER OF THE LAND OFFICE.

ALBANY: THE STATE PRINTING OFFICE, 1914.

Price, 10 CENTS.

Copyright, 1914, by the State of New York.

Published by authority of the Senate.

Approved for publication, January 1, 1914.

W. W. LADD, COMMISSIONER OF THE LAND OFFICE.

ALBANY: THE STATE PRINTING OFFICE, 1914.

Price, 10 CENTS.

Copyright, 1914, by the State of New York.

Published by authority of the Senate.

Approved for publication, January 1, 1914.

METROPOLITAN WATER AND SEWERAGE AMENDMENT BILL.

SCHEDULE of the Amendment referred to in Message of 30th March, 1916.

Page 2, clause 2. *Omit lines 21 to 33 inclusive.*

METROPOLITAN WATER AND SEWERAGE DEPARTMENT BILL

SCHEDULE of the Amendment referred to in Clause 1 of the Bill, 1916

Page 2, clause 2. Omit lines 11 to 22 inclusive.

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.

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 6 March, 1916.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 30th March, 1916.*

New South Wales.



ANNO SEXTO

GEORGII V REGIS.

Act No. , 1916.

An Act to amend the Metropolitan Water and Sewerage Acts, 1880-1889, the Metropolitan Water and Sewerage Act Extension Act of 1894, the Local Government Act, 1906, the Wollongong Water Supply Works Act, 1900 ; to repeal the Parramatta Sewerage and Drainage Act, 1905 ; to amend the law relating to water supply, sewerage and drainage ; and for purposes consequent thereon or incidental thereto.

31061

414—A

BE

NOTE.—The words to be omitted are ruled through.

Metropolitan Water and Sewerage Amendment.

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

Preliminary.

1. This Act may be cited as the "Metropolitan Short title.
Water and Sewerage Amendment Act, 1916," and
shall be construed with the Metropolitan Water and
10 Sewerage Acts, 1880-1894.

2. In this Act, except where the subject matter or Definitions.
context or other provisions thereof require a different
construction, and in any by-laws or regulations made
under the Metropolitan Water and Sewerage Acts,
15 1880-1915 :—

"Metropolitan Water and Sewerage Acts, 1880-
1915" means the Metropolitan Water and
Sewerage Acts, 1880-1889, the Metropolitan
Water and Sewerage Act Extension Act of
20 1894, and this Act.

"Land," "property," or "premises," includes
messuages, lands, tenements, and heredita-
ments of any tenure.

"Owner" means the person for the time being
25 entitled to receive the rents and profits of the
property in reference to which the word is
used, whether on his own account or as agent,
trustee, or attorney, or who would be so en-
titled if such property were let.

"Year" when applied to any matter of valuation,
30 assessment, rate, or account means the year
commencing the first day of July and ending
the thirtieth day of June next following.

All other expressions used in this Act shall have the
35 respective meanings which they have in the Metro-
politan Water and Sewerage Acts, 1880-1894.

3. (1) The Parramatta Sewerage and Drainage Act, Repeal
1905, and so much of the provisions of the Local Parramatta
Government Act, 1906, and any Act amending the same, Sewerage and
40 as enable the council of the municipality of Parramatta Drainage Act,
1905.

to

Metropolitan Water and Sewerage Amendment.

to establish, maintain, or manage, or to acquire the right to establish, maintain, or manage works of water supply or of sewerage or drainage, are hereby repealed :

5 Provided that all rates, charges, and sums of money which under the Acts hereby repealed are at the commencement of this Act due and payable to or leviable by the council of the municipality of Parramatta, shall be paid to and may be received, levied, and recovered by the Board, and shall remain a charge on the property in
10 respect of which the same are payable until such rates, charges, and sums of money have been paid to the Board ; and all rights and liabilities acquired and incurred, except as hereinafter provided, and all contracts and undertakings entered into, all securities lawfully
15 given, and all actions, suits, and proceedings pending at the commencement of this Act, by or against the said council, shall respectively be vested and attach, and may be enforced, realised, carried on, and prosecuted by or against the Board, and no such action, suit, or pro-
20 ceeding shall abate or be discontinued, or be prejudicially affected by the operation of this Act :

Provided also that the rights, powers, and liabilities of the council of the municipality of Parramatta, under the enactments hereby repealed, shall from the commen-
25 cement of this Act be deemed to be vested in and to attach to the Board.

(2) Section five of the Wollongong Water Supply Works Act, 1900, is hereby repealed.

(3) Subsection two of section five of the Metro-
30 politan Water and Sewerage Act Extension Act of 1894 is hereby repealed.

Repeal s. 5
Wollongong
Water Supply
Works Act, 1900.
Repeal s. 5 (2)
Metropolitan
Water and
Sewerage Act
Extension Act,
1894.

Extensions to works outside of county of Cumberland.

4. Notwithstanding anything to the contrary con-
tained in any Act, the powers and authorities granted to,
35 and the duties and liabilities imposed on, the board by the Metropolitan Water and Sewerage Acts, 1880-1915, may be exercised in, and shall be applicable to, and the said Acts shall apply to any place or district outside the county of Cumberland to which the Governor may,
40 by proclamation in the Gazette, declare that the said Acts are extended.

Powers and
liabilities of
board may by
proclamation
be extended
to any place.

The

Metropolitan Water and Sewerage Amendment.

The mayors and aldermen of all municipalities, and the presidents and councillors of all shires, the areas of which are situated, wholly or in part, within any place or district to which the said Acts apply, or to
 5 which such Acts have been applied under this section, shall be qualified as electors of suburban members of the board.

5. A copy of or extracts from the assessment book as to the amount of any valuation or rate may
 10 be entered in a special book to be kept for the purpose, and such entries shall, when completed, be signed by the president or vice-president; and such entries purporting to be signed as aforesaid shall, upon
 production thereof by any officer of the Board authorised
 15 in that behalf, without any other evidence that the requirements of the Metropolitan Water and Sewerage Acts, 1880-1915, have been complied with, be received as prima facie evidence in all courts of the facts therein contained.

Extracts as to valuations and rates to be entered in special book. (Hunter District Amending Act, 1897.)

20 *Exemption from rates.*

6. The board may exempt from the payment of
 water rates any public hospital or any building or pre-
 25 mises used exclusively for any public charitable purpose, and may supply water free of charge to any such hospital, building, or premises, subject to the following conditions:—

Supply of water free of charge to hospitals and public charitable institutions.

- (a) the quantity to be supplied free of charge shall be fifty gallons per day for every person resident in a public hospital, and thirty gallons
 30 per day for every person resident in such building or premises as aforesaid.
- (b) the number of persons resident as aforesaid shall be the average number of persons resident during the year immediately preceding the year
 35 in respect of which charges would be payable;
- (c) the board may require that the supply of water to any hospital, building, or premises as aforesaid shall be through a meter, and any
 40 quantity of water used in excess of that which may be supplied free of charge shall be paid for according to the scale of charges prescribed for the supply of water by measure.

Metropolitan Water and Sewerage Amendment.

7. (1) The board may exempt from the payment of water rates and sewerage rates (including water rates and sewerage rates due and unpaid on the commencement of this Act) any cathedral, church, chapel, or other building used exclusively for public worship, and any building used exclusively as a Sunday school or for religious teaching only.

Water supply and sewerage in the case of churches and Sunday schools.

(2) Where any such premises are actually supplied with the water of the board, such supply shall be by meter, and the quantity consumed shall be paid for according to the scale of charges prescribed for the supply of water by measure :

Provided that where the meter so used is hired from the board, water shall be supplied free of charge to a value equal to the amount paid as hire of the meter.

8. The board may exempt from the payment of water rates any public parks or gardens or land vested in trustees for public recreation, health, or enjoyment, and may supply water or any prescribed quantity of water to any such park, garden, or land, or for the practice of any fire brigade free of charge, but subject to such conditions as may be prescribed.

Parks, &c.

Domestic supply.

9. A supply of water for domestic purposes shall not include a supply of water for cattle or for horses, or for watering gardens.

Domestic supply.

Power of entry.

10. The board may by its officers and servants at all reasonable times in the daytime enter any private lands and premises for the purpose of making any inspection in connection with water supply, sewerage, or drainage.

Power to enter land.

Licenses.

11. (1) The board may, on such terms as to the passing of examinations and the payment of fees as may be

Board may issue licenses.

Metropolitan Water and Sewerage Amendment.

be prescribed, issue licenses to persons authorising them to supervise and perform works in connection with water supply, sewerage, and drainage.

(2) The board may suspend or cancel any license issued as aforesaid. License may be cancelled.

(3) No person shall commence or perform any work, in connection with water supply, sewerage, or drainage which communicates or is intended to communicate directly or indirectly with the pipes, sewers, or drains of the board, unless he is the holder of a license issued as aforesaid or is under the immediate supervision of a holder of such license in charge of the work. Unlicensed persons not to do work except under supervision.

(4) Any person not being the holder of such license, and not being under the immediate supervision of a holder of such license in charge of the work, who commences or performs any such work, shall be liable to a penalty of not less than twenty shillings nor more than ten pounds. Any person who knowingly employs any person to commence or perform any such work in contravention of the above provision shall be liable to a penalty of not less than twenty shillings nor more than ten pounds. Penalty for doing work without license.

(5) The board may direct and compel all defective and improper work done without the required supervision by a person who is not the holder of such a license to be removed or altered to its satisfaction. Unless such removal or alteration be effected within twenty-four hours after notice given to the owner or occupier of the premises, the board may by its officers, servants, and workmen, enter any land or premises and remove such work or effect the necessary alterations thereto. The expense of removal or alteration may be recovered by the board from the person performing the work or from any person who has employed any person who is not the holder of such license to perform the work, knowing him to be not the holder of such license. Board may remove work done by unlicensed person.

(6) No license issued by any authority other than the board shall entitle the holder thereof to commence or perform any work in connection with water supply, sewerage, or drainage, which communicates with the pipes, sewers, or drains of the board. License of board alone to have validity

By-laws.

*Metropolitan Water and Sewerage Amendment.**By-laws.*

12. The board may, under and subject to the provisions of the Metropolitan Water and Sewerage Act, 1880-1915, make by-laws—

Power to make additional by-laws.

- 5 (a) for preventing the fouling or contamination of water within the metropolitan catchment area and for the preservation of the purity of such water ;
- 10 (b) for regulating the use of water supplied by the board for domestic or other purposes, and the consumption and method of consumption of such water, whether the supply be through meter or otherwise ;
- 15 (c) for prohibiting the use or consumption of water supplied by the board otherwise than in accordance with the by-laws of the board ;
- (d) for compelling persons to provide storage tanks for storing the water of the board, and regulating the construction and maintenance of such tanks ;
- 20 (e) generally for exercising the powers and carrying out and giving effect to the provisions contained in the Metropolitan Water and Sewerage Acts 1880-1915.

25 *Parramatta water supply, sewerage, and drainage.*

13. All the lands, works, or property of any kind appropriated, resumed, acquired, constructed, or provided under or in accordance with the Parramatta Sewerage and Drainage Act, 1905, and transferred to the council of the municipality of Parramatta (hereinafter in this and the succeeding sections referred to as the council) by proclamation in the Gazette, No. 54, of the twentieth day of April, one thousand nine hundred and ten, and all easements, rights of way, or property of any description acquired in connection with any of the works therein described, and all the works described in the Second Schedule to the said Act, shall, from the commencement of this Act, be removed from the administration and management of the council, and shall be vested in the Board

Vesting of Parramatta sewerage and drainage works in the Board.

Metropolitan Water and Sewerage Amendment.

Board as if such land, works, or property had been acquired, constructed, or provided by the Minister, and transferred to the Board in accordance with the provisions of the Metropolitan Water and Sewerage Act of 1880, or
5 any Act amending the same.

14. Any sums of money due and owing by the council under the Parramatta Sewerage and Drainage Act, 1905, to the Consolidated Revenue Fund at the commencement of this Act shall be paid by the council, and may be
10 recovered by the Colonial Treasurer as if this Act had not been passed.

Any liability of the council under the Parramatta Sewerage and Drainage Act, 1905, to pay moneys accruing due to the Consolidated Revenue Fund after
15 the commencement of this Act is extinguished.

15. (1) The Board shall, subject as hereinafter provided, take over and assume control of all works of water supply required for the future maintenance or extension of the water supply service at present vested in the
20 council.

(2) A valuation shall be made of such works, and if the council and the Board fail to agree as to the valuation and extent of the works to be taken over, the matter shall be submitted to two arbitrators appointed
25 respectively by the council and the Board, and the provisions of the Arbitration Act, 1902, shall apply thereto.

(3) The Board shall, immediately after the valuation and extent of the works to be taken over shall have been determined, transmit a statement thereof
30 to the Minister, who shall publish a list of the works to be taken over, which shall thereupon be vested in the Board, and all powers and authorities whatsoever then by law vested in and exercisable by the council shall absolutely cease and determine, and all the lands, works
35 and property of whatever kind specified in such notice shall be transferred from the council, and all the estate and interest of the council shall be absolutely vested in the Board.

16. The Minister shall report the amount of the valuation determined upon in the next preceding section, to the Colonial Treasurer, and the Colonial Treasurer shall
40

Payments due by council in respect of the said works.

Board to assume control of Parramatta water supply.

Arbitration.

Vesting.

Colonial Treasurer to pay value of water works to council.

Metropolitan Water and Sewerage Amendment.

shall pay the amount to the council, for which purpose the Consolidated Revenue Fund is hereby appropriated accordingly. Any amount so paid shall be applied by the council primarily in discharging any loan indebted-
5 ness incurred in respect of the construction of works of water supply.

17. The amount so paid by the Colonial Treasurer in accordance with the next preceding section, and the balance of the whole amount payable by the council in
10 accordance with the provisions of the Parramatta Sewerage and Drainage Act, 1905, after deducting the sum of any payments made by the council under the said Act before or after the commencement of this Act, shall be charged against the Board, and the Board
15 shall, with respect to such amount, assume all the liabilities and obligations which attach or are imposed with respect to any amounts expended on any works constructed by the Minister, and transferred to the Board in accordance with the Metropolitan Water and
20 Sewerage Acts of 1880-1894.

18. All water supply, sewerage, or drainage valuation or rate books, or any books, vouchers, documents, or records of any kind whatsoever relating to or which might have relation to the recovery of money or other
25 property by this Act transferred to the Board, shall, except in so far as such are necessary for the conduct of the business of the council, be and become the property of the Board, which may require the council, within one month of demand, to hand over such books, vouchers,
30 documents, or records; and the council, if default be committed in complying with the provisions of this section, shall be liable to a penalty of ten pounds for every day, or part of a day, during which such default continues, and such penalty may be recovered by the
35 Board in any court of competent jurisdiction as a debt due to the Board.

Board to be charged with cost of works.

Certain books, documents, &c, to be the property of Board.

[6d.]

Sydney : William Applegate Gullick, Government Printer.—1916.

414—B

to the Colonial...
to the Colonial...
to the Colonial...

the...
the...
the...

the...
the...
the...

the...
the...
the...

the...
the...
the...

the...
the...
the...

the...
the...
the...

the...
the...
the...

the...
the...
the...

*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.*

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 6 March, 1916.*

New South Wales.



ANNO SEXTO

GEORGII V REGIS.

Act No. , 1916.

An Act to amend the Metropolitan Water and Sewerage Acts, 1880-1889, the Metropolitan Water and Sewerage Act Extension Act of 1894, the Local Government Act, 1906, the Wollongong Water Supply Works Act, 1900 ; to repeal the Parramatta Sewerage and Drainage Act, 1905 ; to amend the law relating to water supply, sewerage and drainage ; and for purposes consequent thereon or incidental thereto.

Metropolitan Water and Sewerage Amendment.

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

Preliminary.

1. This Act may be cited as the "Metropolitan Short title.
Water and Sewerage Amendment Act, 1916," and
shall be construed with the Metropolitan Water and
10 Sewerage Acts, 1880-1894.

2. In this Act, except where the subject matter or Definitions.
context or other provisions thereof require a different
construction, and in any by-laws or regulations made
under the Metropolitan Water and Sewerage Acts,
15 1880-1915 :—

"Metropolitan Water and Sewerage Acts, 1880-
1915" means the Metropolitan Water and
Sewerage Acts, 1880-1889, the Metropolitan
Water and Sewerage Act Extension Act of
20 1894, and this Act.

"Land," "property," or "premises," includes
messuages, lands, tenements, and hereditaments
of any tenure.

"Owner" means the person for the time being
25 entitled to receive the rents and profits of the
property in reference to which the word is used,
whether on his own account or as agent, trustee,
or attorney, or who would be so entitled if
such property were let.

"Year" when applied to any matter of valuation,
30 assessment, rate, or account means the year
commencing the first day of July and ending
the thirtieth day of June next following.

All other expressions used in this Act shall have the
35 respective meanings which they have in the Metro-
politan Water and Sewerage Acts, 1880-1894.

3. (1) The Parramatta Sewerage and Drainage Act, Repeal
1905, and so much of the provisions of the Local Parramatta
Government Act, 1906, and any Act amending the same, Sewerage and
40 as enable the council of the municipality of Parramatta Drainage Act,
to 1905.

Metropolitan Water and Sewerage Amendment.

to establish, maintain, or manage, or to acquire the right to establish, maintain, or manage works of water supply or of sewerage or drainage, are hereby repealed :

5 Provided that all rates, charges, and sums of money which under the Acts hereby repealed are at the commencement of this Act due and payable to or leviable by the council of the municipality of Parramatta, shall be paid to and may be received, levied, and recovered by the Board, and shall remain a charge on the property in
10 respect of which the same are payable until such rates, charges, and sums of money have been paid to the Board ; and all rights and liabilities acquired and incurred, except as hereinafter provided, and all contracts and undertakings entered into, all securities lawfully
15 given, and all actions, suits, and proceedings pending at the commencement of this Act, by or against the said council, shall respectively be vested and attach, and may be enforced, realised, carried on, and prosecuted by or against the Board, and no such action, suit, or pro-
20 ceeding shall abate or be discontinued, or be prejudicially affected by the operation of this Act :

Provided also that the rights, powers, and liabilities of the council of the municipality of Parramatta, under the enactments hereby repealed, shall from the commen-
25 cement of this Act be deemed to be vested in and to attach to the Board.

(2) Section five of the Wollongong Water Supply Works Act, 1900, is hereby repealed.

Repeal s. 5
Wollongong
Water Supply
Works Act, 1900.

(3) Subsection two of section five of the Metro-
30 politan Water and Sewerage Act Extension Act of 1894 is hereby repealed.

Repeal s. 5 (2)
Metropolitan
Water and
Sewerage Act
Extension Act,
1894.

Extensions to works outside of county of Cumberland.

4. Notwithstanding anything to the contrary con-
tained in any Act, the powers and authorities granted to,
35 and the duties and liabilities imposed on, the board by the Metropolitan Water and Sewerage Acts, 1880-1915, may be exercised in, and shall be applicable to, and the said Acts shall apply to any place or district outside the county of Cumberland to which the Governor may,
40 by proclamation in the Gazette, declare that the said Acts are extended.

Powers and
liabilities of
board may by
proclamation
be extended
to any place.

The

Metropolitan Water and Sewerage Amendment.

The mayors and aldermen of all municipalities, and the presidents and councillors of all shires, the areas of which are situated, wholly or in part, within any place or district to which the said Acts apply, or to
 5 which such Acts have been applied under this section, shall be qualified as electors of suburban members of the board.

5. A copy of or extracts from the assessment book as to the amount of any valuation or rate may
 10 be entered in a special book to be kept for the purpose, and such entries shall, when completed, be signed by the president or vice-president; and such entries purporting to be signed as aforesaid shall, upon
 15 production thereof by any officer of the Board authorised in that behalf, without any other evidence that the requirements of the Metropolitan Water and Sewerage Acts, 1880-1915, have been complied with, be received as prima facie evidence in all courts of the facts therein contained.

Extracts as to valuations and rates to be entered in special book.

(Hunter District Amending Act, 1897.)

20 *Exemption from rates.*

6. The board may exempt from the payment of
 water rates any public hospital or any building or pre-
 25 mises used exclusively for any public charitable purpose, and may supply water free of charge to any such hospital, building, or premises, subject to the following conditions:—

Supply of water free of charge to hospitals and public charitable institutions.

- (a) the quantity to be supplied free of charge shall be fifty gallons per day for every person resident in a public hospital, and thirty gallons
 30 per day for every person resident in such building or premises as aforesaid.
- (b) the number of persons resident as aforesaid shall be the average number of persons resident during the year immediately preceding the year
 35 in respect of which charges would be payable;
- (c) the board may require that the supply of water to any hospital, building, or premises as aforesaid shall be through a meter, and any
 40 quantity of water used in excess of that which may be supplied free of charge shall be paid for according to the scale of charges prescribed for the supply of water by measure.

Metropolitan Water and Sewerage Amendment.

7. (1) The board may exempt from the payment of water rates and sewerage rates (including water rates and sewerage rates due and unpaid on the commencement of this Act) any cathedral, church, chapel, or other building used exclusively for public worship, and any building used exclusively as a Sunday school or for religious teaching only. Water supply and sewerage in the case of churches and Sunday schools.

(2) Where any such premises are actually supplied with the water of the board, such supply shall be by meter, and the quantity consumed shall be paid for according to the scale of charges prescribed for the supply of water by measure :

Provided that where the meter so used is hired from the board, water shall be supplied free of charge to a value equal to the amount paid as hire of the meter.

8. The board may exempt from the payment of water rates any public parks or gardens or land vested in trustees for public recreation, health, or enjoyment, and may supply water or any prescribed quantity of water to any such park, garden, or land, or for the practice of any fire brigade free of charge, but subject to such conditions as may be prescribed. Parks, &c.

Domestic supply.

9. A supply of water for domestic purposes shall not include a supply of water for cattle or for horses, or for watering gardens. Domestic supply.

Power of entry.

10. The board may by its officers and servants at all reasonable times in the daytime enter any private lands and premises for the purpose of making any inspection in connection with water supply, sewerage, or drainage. Power to enter land.

Licenses.

11. (1) The board may, on such terms as to the passing of examinations and the payment of fees as may be Board may issue licenses.

Metropolitan Water and Sewerage Amendment.

be prescribed, issue licenses to persons authorising them to supervise and perform works in connection with water supply, sewerage, and drainage.

(2) The board may suspend or cancel any license
5 issued as aforesaid. License may be cancelled.

(3) No person shall commence or perform any
work, in connection with water supply, sewerage, or
drainage which communicates or is intended to com-
municate directly or indirectly with the pipes, sewers,
10 or drains of the board, unless he is the holder of a license
issued as aforesaid or is under the immediate super-
vision of a holder of such license in charge of the work. Unlicensed persons not to do work except under supervision.

(4) Any person not being the holder of such
license, and not being under the immediate supervision
15 of a holder of such license in charge of the work, who
commences or performs any such work, shall be liable
to a penalty of not less than twenty shillings nor more
than ten pounds. Any person who knowingly employs
any person to commence or perform any such work in
20 contravention of the above provision shall be liable to
a penalty of not less than twenty shillings nor more than
ten pounds. Penalty for doing work without license.

(5) The board may direct and compel all defec-
tive and improper work done without the required super-
25 vision by a person who is not the holder of such a license
to be removed or altered to its satisfaction. Unless such
removal or alteration be effected within twenty-four
hours after notice given to the owner or occupier of the
premises, the board may by its officers, servants, and
30 workmen, enter any land or premises and remove such
work or effect the necessary alterations thereto. The
expense of removal or alteration may be recovered by
the board from the person performing the work or from
any person who has employed any person who is not the
35 holder of such license to perform the work, knowing him
to be not the holder of such license. Board may remove work done by unlicensed person.

(6) No license issued by any authority other
than the board shall entitle the holder thereof to com-
mence or perform any work in connection with water
40 supply, sewerage, or drainage, which communicates with
the pipes, sewers, or drains of the board. License of board alone to have validity

By-laws.

*Metropolitan Water and Sewerage Amendment.**By-laws.*

12. The board may, under and subject to the provisions of the Metropolitan Water and Sewerage Act, 1880-1915, make by-laws—

Power to make additional by-laws.

- 5 (a) for preventing the fouling or contamination of water within the metropolitan catchment area and for the preservation of the purity of such water ;
- 10 (b) for regulating the use of water supplied by the board for domestic or other purposes, and the consumption and method of consumption of such water, whether the supply be through meter or otherwise ;
- 15 (c) for prohibiting the use or consumption of water supplied by the board otherwise than in accordance with the by-laws of the board ;
- (d) for compelling persons to provide storage tanks for storing the water of the board, and regulating the construction and maintenance of such tanks ;
- 20 (e) generally for exercising the powers and carrying out and giving effect to the provisions contained in the Metropolitan Water and Sewerage Acts 1880-1915.

25 *Parramatta water supply, sewerage, and drainage.*

- 13.** All the lands, works, or property of any kind appropriated, resumed, acquired, constructed, or provided under or in accordance with the Parramatta Sewerage and Drainage Act, 1905, and transferred to the council of the municipality of Parramatta (hereinafter in this and the succeeding sections referred to as the council) by proclamation in the Gazette, No. 54, of the twentieth day of April, one thousand nine hundred and ten, and all easements, rights of way, or property of any description acquired in connection with any of the works therein described, and all the works described in the Second Schedule to the said Act, shall, from the commencement of this Act, be removed from the administration and management of the council, and shall be vested in the Board

Vesting of Parramatta sewerage and drainage works in the Board.

Metropolitan Water and Sewerage Amendment.

Board as if such land, works, or property had been acquired, constructed, or provided by the Minister, and transferred to the Board in accordance with the provisions of the Metropolitan Water and Sewerage Act of 1880, or
 5 any Act amending the same.

14. Any sums of money due and owing by the council under the Parramatta Sewerage and Drainage Act, 1905, to the Consolidated Revenue Fund at the commencement of this Act shall be paid by the council, and may be
 10 recovered by the Colonial Treasurer as if this Act had not been passed.

Payments due by council in respect of the said works.

Any liability of the council under the Parramatta Sewerage and Drainage Act, 1905, to pay moneys accruing due to the Consolidated Revenue Fund after
 15 the commencement of this Act is extinguished.

15. (1) The Board shall, subject as hereinafter provided, take over and assume control of all works of water supply required for the future maintenance or extension of the water supply service at present vested in the
 20 council.

Board to assume control of Parramatta water supply.

(2) A valuation shall be made of such works, and if the council and the Board fail to agree as to the valuation and extent of the works to be taken over, the matter shall be submitted to two arbitrators appointed
 25 respectively by the council and the Board, and the provisions of the Arbitration Act, 1902, shall apply thereto.

Arbitration,

(3) The Board shall, immediately after the valuation and extent of the works to be taken over shall have been determined, transmit a statement thereof
 30 to the Minister, who shall publish a list of the works to be taken over, which shall thereupon be vested in the Board, and all powers and authorities whatsoever then by law vested in and exercisable by the council shall absolutely cease and determine, and all the lands, works
 35 and property of whatever kind specified in such notice shall be transferred from the council, and all the estate and interest of the council shall be absolutely vested in the Board.

Vesting.

16. The Minister shall report the amount of the valuation determined upon in the next preceding section, to the Colonial Treasurer, and the Colonial Treasurer shall
 40 shall

Colonial Treasurer to pay value of water works to council.

Metropolitan Water and Sewerage Amendment.

shall pay the amount to the council, for which purpose the Consolidated Revenue Fund is hereby appropriated accordingly. Any amount so paid shall be applied by the council primarily in discharging any loan indebtedness incurred in respect of the construction of works of water supply.

17. The amount so paid by the Colonial Treasurer in accordance with the next preceding section, and the balance of the whole amount payable by the council in accordance with the provisions of the Parramatta Sewerage and Drainage Act, 1905, after deducting the sum of any payments made by the council under the said Act before or after the commencement of this Act, shall be charged against the Board, and the Board shall, with respect to such amount, assume all the liabilities and obligations which attach or are imposed with respect to any amounts expended on any works constructed by the Minister, and transferred to the Board in accordance with the Metropolitan Water and Sewerage Acts of 1880-1894.

18. All water supply, sewerage, or drainage valuation or rate books, or any books, vouchers, documents, or records of any kind whatsoever relating to or which might have relation to the recovery of money or other property by this Act transferred to the Board, shall, except in so far as such are necessary for the conduct of the business of the council, be and become the property of the Board, which may require the council, within one month of demand, to hand over such books, vouchers, documents, or records; and the council, if default be committed in complying with the provisions of this section, shall be liable to a penalty of ten pounds for every day, or part of a day, during which such default continues, and such penalty may be recovered by the Board in any court of competent jurisdiction as a debt due to the Board.

Board to be charged with cost of works.

Certain books, documents, &c, to be the property of Board.

to the ...
10. The Minister shall report the amount of the ...

11. The Board ...

12. The Board ...

13. The Board ...

14. The Board ...

15. The Board ...

16. The Board ...

17. The Board ...

18. The Board ...

19. The Board ...

20. The Board ...

21. The Board ...

22. The Board ...

23. The Board ...