

## BROKEN HILL WATER AND SEWERAGE (AMENDMENT) ACT.

### Act No. 52, 1946.

**George VI.** An Act to amend the Broken Hill Water and Sewerage Act, 1938-1945, in certain respects; and for purposes connected therewith. [Assented to, 24th December, 1946.]

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:—

**Short title,  
citation and  
commencement.**

**1.** (1) This Act may be cited as the "Broken Hill Water and Sewerage (Amendment) Act, 1946."

(2) The Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Broken Hill Water and Sewerage Act, 1938-1946.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

**2.** The Broken Hill Water and Sewerage Act, 1938-1945, is amended—

**Amendment  
of Act No.  
20, 1938.**

**Sec. 96.  
(Payments  
by Treas-  
urer to  
board.)**

(a) by omitting subsections one and two of section ninety-six and by inserting in lieu thereof the following subsections:—

(1) Each year during the period of forty-five years following the date of the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1946, the Treasurer shall, out of moneys provided by Parliament, pay to the board the sum of thirteen thousand pounds. Such sum shall be allocated by the board to the water fund.

(2)

(2) Where in any year during the period of No. 52, 1946. forty-five years following the date of the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1946, the income and revenues of the board in respect of the sewerage fund are insufficient to meet the costs properly chargeable to that fund for that year, the Treasurer shall, out of moneys provided by Parliament, pay to the board the amount of such deficiency or the sum of three thousand pounds, whichever is the less; and the board shall apply the moneys so paid in satisfaction in whole or in part of such deficiency.

(b) (i) by omitting from subsection two of section See. 100. one hundred the words "two shillings and <sup>(Water charges.)</sup> sixpence per thousand gallons" and by inserting in lieu thereof the words "five shillings per thousand gallons":

Provided that the charge for water supplied to any mining company and used solely for any dwelling or plantation or any other purpose which the board determines to be a social service, shall be two shillings and sixpence per thousand gallons";

(ii) by omitting from the same subsection the words "Such charge" and by inserting in lieu thereof the words "Any charge under this subsection";

(iii) by omitting from subsection three of the same section the words "commencing on the first day of January, one thousand nine hundred and thirty-nine, or during any subsequent year, is less than the sum of sixteen thousand pounds" and by inserting in lieu thereof the words "following the date of the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1946, or during any subsequent year, is less than the sum of forty-six thousand pounds";

(c)

No. 52, 1946.

u bstituted  
sec. 101.  
(Additional  
charges.)

Quin-  
quennial  
adjustment  
in respect  
of water  
fund.

(c) by omitting section one hundred and one and by inserting in lieu thereof the following section:—

101. (1) For the period of forty-five years following the date of the commencement of the Broken Hill Water and Sewerage (Amendment) Act, 1946, an adjustment, as provided in this section, shall be made in respect of the water fund at the expiration of five years after such commencement and at the expiration of every fifth year thereafter.

(2) Where, at the expiration of any such quinquennial period the total income and revenues of the board in respect of the water fund are insufficient to meet the costs properly chargeable to that fund for that quinquennial period, each mining company shall pay to the board, by way of additional charge, a sum which bears the same proportion to the amount of such deficiency as the amount payable for that quinquennial period by that company under section one hundred of this Act bears to the total amount payable for that quinquennial period by all the mining companies under that section.

(3) Where, at the expiration of any such quinquennial period the total income and revenues of the board in respect of the water fund exceed the costs properly chargeable to that fund for that quinquennial period, the board shall pay one-half of such excess to the Treasurer (to be carried to the credit of the Consolidated Revenue Fund) and shall pay to each mining company a sum which bears the same proportion to one-half of such excess as the amount payable for that quinquennial period by that company under section one hundred of this Act bears to the total amount payable for that quinquennial period by all the mining companies under that section.

(4) Any additional charge payable by a mining company pursuant to subsection two of this section shall, for the purposes of this Act,

**Mining (Amendment) Act.** 421

Act, be deemed to be a charge imposed by the No. 52, 1946.  
board for water supplied to the land of such  
mining company, and shall be payable as  
prescribed by the by-laws.

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