

## WATER (AMENDMENT) ACT.

Act. No. 42, 1952.

An Act to amend the Water Act, 1912-1946, in certain respects; and for purposes connected therewith. [Assented to, 25th November, 1952.] Elizabeth II,  
No. 42, 1952.

**B**E 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:—

**1.** (1) This Act may be cited as the "Water (Amendment) Act, 1952". Short title  
and  
citation.

(2) The Water Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Water Act, 1912-1952.

**2.**

## No. 42, 1952.

Amendment of  
Act No. 44,  
1912.

Sec. 131.  
(Proposal  
for constitu-  
tion of  
districts.)

Sec. 132.  
(Constitution  
of provisional  
districts.)

Sec. 133.  
(Constitution  
of districts.)

Sec. 134.  
(Alteration  
of boundaries  
of districts.)

Sec. 138.  
(Rates and  
charges for  
various  
purposes.)

2. The Water Act, 1912-1946, is amended—

- (a) (i) by omitting paragraph (c) of subsection two of section one hundred and thirty-one;
- (ii) by omitting subparagraphs (i), (iii) and (iv) of paragraph (d) of the same subsection;
- (b) by omitting the proviso to subsection one of section one hundred and thirty-two;
- (c) by omitting paragraph (d) of subsection one of section one hundred and thirty-three;
- (d) by omitting paragraph (c) of subsection two of section one hundred and thirty-four;
- (e) (i) by inserting in section one hundred and thirty-eight after the words “provisional district” where firstly and secondly occurring the words “or district”;
- (ii) by omitting from the same section all words following the words “such works”;
- (iii) by inserting at the end of the same section the following new subsection:—
  - (2) (a) The rates and charges shall—
    - (i) be each year as fixed by the Commission; and
    - (ii) during any year that a less quantity of water is made available than the total quantity allocated to the holding under the constitution of the provisional district or the district, as the case may be, be proportionately reduced.

(b) The provisions of this subsection shall apply to and in respect of all provisional districts and districts whether constituted as such before or after the commencement of the Water (Amendment) Act, 1952, and notwithstanding anything contained in any notification pursuant to the provisions of subsection one of section one hundred and thirty-one,

thirty-one, subsection one of section one hundred and thirty-three or subsection two of section one hundred and thirty-four or any proclamation pursuant to the provisions of section one hundred and thirty-two in respect of any such provisional district or district. No. 42, 1952.

(f) by omitting paragraphs (a) and (b) of subsection two of section 139A and by inserting in lieu thereof the words "in respect of the first year such amount as the Commission may determine and in respect of any succeeding year one half the rates and charges fixed in respect of the next preceding year"; Sec. 139A.  
(Provisional assessments.)

(g) by omitting subsection two of section one hundred and forty-two and by inserting in lieu thereof the following subsection:— Sec. 142.  
(Charges for additional water.)

(2) The charges for water delivered to a holding for domestic and stock use in any year ending on the thirtieth day of June in excess of the quantity to which the owner of the holding is entitled to be supplied for the annual rate or charge fixed in respect of the holding for that year shall be paid on or before the thirty-first day of July next following.

(h) by omitting section one hundred and forty-four; Sec. 144.  
(Alteration of rates and charges for water.)

(i) by omitting section one hundred and forty-five; Sec. 145.  
(Annual assessment of rates and charges.)

(j) by omitting from subsection three of section one hundred and forty-seven the words "the quantities for which an annual rate or charge has been specified under the constitution of that district or provisional district" and by inserting in lieu thereof the words "the quantity to which the owner of the holding is entitled to be supplied for the annual rate or charge fixed in respect of the holding". Sec. 147.  
(Supply of water.)

No. 42, 1952.

Further  
amendment  
of Act No. 44,  
1912.Sec. 151.  
(Proposal for  
constitution  
of districts.)Sec. 153.  
(Constitution  
of provisional  
districts.)Sec. 154.  
(Constitution  
of districts.)Sec. 155.  
(Alteration of  
boundaries.)Sec. 159.  
(Rates.)

3. The Water Act, 1912-1946, is further amended—

- (a) by omitting paragraph (c) of subsection two of section one hundred and fifty-one;
- (b) by omitting the proviso to subsection one of section one hundred and fifty-three;
- (c) by omitting paragraph (c) of subsection one of section one hundred and fifty-four;
- (d) by omitting paragraph (c) of subsection two of section one hundred and fifty-five;

- (e) (i) by omitting paragraph (c) of subsection one of section one hundred and fifty-nine and by inserting in lieu thereof the following paragraph:—

(c) be each year as fixed by the Commission.

- (ii) by omitting paragraphs (cc) and (d) of the same subsection;
- (iii) by inserting next after the same subsection the following new subsection:—

(1A) The provisions of paragraph (c) of subsection one of this section as inserted by the Water (Amendment) Act, 1952, shall apply to and in respect of all provisional districts and districts whether constituted as such before or after the commencement of the said Act, and notwithstanding anything contained in any notification pursuant to the provisions of subsection one of section one hundred and fifty-one, subsection one of section one hundred and fifty-four or subsection two of section one hundred and fifty-five or any proclamation pursuant to the provisions of section one hundred and fifty-three in respect of any such provisional district or district.

4.

4. The Water Act, 1912-1946, is further amended— **No. 42, 1952.**

- |  |  |
|--|--|
|  | Further amendment of Act No. 44, 1912.                 |
| (a) by omitting paragraph (e) of subsection two of section one hundred and sixty-six;  | Sec. 166.<br>(Proposal for constitution of districts.) |
| (b) by omitting the proviso to subsection one of section one hundred and sixty-seven;  | Sec. 167.<br>(Constitution of provisional districts.)  |
| (c) by omitting paragraph (d) of subsection one of section one hundred and sixty-eight;  | Sec. 168.<br>(Constitution of districts.)              |
| (d) by omitting paragraph (c) of subsection two of section one hundred and seventy;  | Sec. 170.<br>(Alteration of boundaries.)               |
| (e) (i) by omitting paragraph (d) of subsection one of section one hundred and seventy-four and by inserting in lieu thereof the following paragraph:—<br>(d) be each year as fixed by the Commission. | Sec. 174.<br>(Rates.)                                  |
| (ii) by omitting paragraphs (e) and (f) of the same subsection;  |  |
| (iii) by inserting next after the same subsection the following new subsection:—   |  |

(1A) The provisions of paragraph (d) of subsection one of this section as inserted by the Water (Amendment) Act, 1952, shall apply to and in respect of all provisional districts and districts whether constituted as such before or after the commencement of the said Act, and notwithstanding anything contained in any notification pursuant to the provisions of subsection one of section one hundred and sixty-six, subsection one of section one hundred and sixty-eight or subsection two of section one hundred and seventy or any proclamation pursuant to the provisions of section one hundred and sixty-seven in respect of any such provisional district or district.

SUPERANNUATION