

## GRAFTON WATER SUPPLY ACT.

### Act No. 33, 1956.

An Act relating to the water supply for the Municipality of Grafton; to dissolve the Grafton and South Grafton Water Board; to repeal the Grafton and South Grafton Water Supply Administration Act, 1915-1946; and for purposes connected therewith. [Assented to, 9th November, 1956.]

Elizabeth II,  
No. 33, 1956.

**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 "Grafton Water Supply Act, 1956."

Short title  
and  
commence-  
ment.

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

**2.** In this Act, unless the context or subject matter otherwise indicates or requires—

Definitions.

"Board" means the Grafton and South Grafton Water Board constituted under the Grafton and South Grafton Water Supply Administration Act, 1915, as amended by subsequent Acts.

"Council" means the council of the Municipality of Grafton.

"The

**Grafton Water Supply Act.**

No. 33, 1956.

“The works” has the meaning ascribed thereto in the Grafton and South Grafton Water Supply Administration Act, 1915, as amended by subsequent Acts.

Dissolution  
of body  
corporate  
and trans-  
fer of the  
works to  
the council.

**3.** (1) The body corporate constituted by section three of the Grafton and South Grafton Water Supply Administration Act, 1915, as amended by subsequent Acts, under the name of the “Grafton and South Grafton Water Board” is hereby dissolved.

(2) All administration, control and management of the works exercisable by the board immediately before the commencement of this Act under the Grafton and South Grafton Water Supply Administration Act, 1915, as amended by subsequent Acts, shall be exercisable by the council.

The provisions of the Local Government Act, 1919, as amended by subsequent Acts, shall apply to the works and to the council in respect of the works.

(3) All real and personal property including all books and documents and all right and interest therein which immediately before the commencement of this Act were vested in or belonged to the board shall vest in and belong to the council.

(4) All rates, charges, moneys, liquidated and unliquidated claims which immediately before the commencement of this Act were payable to or recoverable by the board shall respectively be rates, charges, moneys, liquidated and unliquidated claims payable to or recoverable by the council.

(5) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the board shall respectively be suits, actions and proceedings pending at the suit of the council.

(6) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the board and in force immediately before the commencement

commencement of this Act shall respectively be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the council. No. 33, 1956.

(7) The council may pursue the same remedies for the recovery of any such rates, charges, moneys and claims and for the prosecution of such suits, actions and proceedings as the board might have done but for this Act.

(8) The council may enforce and realise any security or charge existing immediately before the commencement of this Act in favour of the board in respect of any such rates, charges, moneys and claims as if such security or charge were existing in favour of the council.

(9) All debts due and moneys payable by the board and all claims liquidated or unliquidated recoverable against the board shall be debts due, moneys payable by and claims recoverable against the council.

(10) No attornment by a lessee of any land vested in the council by this section shall be necessary.

**4.** All persons who immediately before the commencement of this Act were servants of the board are hereby transferred to the service of the council. Transfer of servants.

The provisions of section 20c of the Local Government Act, 1919, as amended by subsequent Acts, shall apply, *mutatis mutandis*, to and in respect of the transfer of any person from the service of the board to the service of the council under this section and for the purposes of the said section 20c service with the board shall be deemed to have been service with a council.

**5.** (1) The Acts enumerated in the Schedule to this Act are to the extent therein specified hereby repealed. Repeals and savings.

(2) As on and from the commencement of this Act a reference to the Grafton and South Grafton Water Board in any Act or other instrument shall be read and construed as a reference to the council.

SCHEDULE.

No. 33, 1956.

## SCHEDULE.

Sec. 5.

| No. of Act.          | Title of Act.   | Extent of Repeal.   |
|----------------------|---|---|
| Act No. 38, 1915 ... | Grafton and South Grafton<br>Water Supply Adminis-<br>tration Act, 1915.                | The whole.  |
| Act No. 7, 1931 ...  | Grafton and South Grafton<br>Water Supply Adminis-<br>tration (Amendment)<br>Act, 1931. | The whole.  |
| Act No. 10, 1937 ... | Local Government<br>(Amendment) Act, 1937.  | Section 15.   |
| Act No. 35, 1937 ... | Statute Law Revision Act,<br>1937.  | So much of the Second<br>Schedule as amened<br>section 18 of<br>Act No. 38, 1915. |
| Act No. 20, 1946 ... | Grafton and South Grafton<br>Water Supply Adminis-<br>tration (Amendment)<br>Act, 1946. | The whole.  |