

WALGETT WATER SUPPLY ACT.

Act No. 17, 1959.

An Act to transfer to the Council of the Shire of Walgett the works of water supply administered and managed by the Walgett Water Trust; to dissolve the Walgett Water Trust; for these and other purposes to amend the Water Act, 1912, the Local Government Act, 1919, and certain other Acts; and for purposes connected therewith. [Assented to, 7th October, 1959.]

Elizabeth II,
No. 17, 1959.

BE 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 "Walgett Water Supply Act, 1959."

Short title
and com-
mencement.

(2) This Act shall commence on the first day of January, one thousand nine hundred and sixty.

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

Definitions.

"Council" means the Council of the Shire of Walgett.

"Trust" means the Walgett Water Trust constituted under the Water and Drainage Act, 1902, by proclamation published in Gazette No. 496 of the twenty-second day of September, one thousand nine hundred and five, and deemed to have been made under the provisions of the Water Act, 1912.

"The works" means the works of water supply administered and managed by the trust immediately before the commencement of this Act.

3.

Walgett Water Supply Act.

No. 17, 1959. 3. (1) The trust is hereby dissolved.

Dissolution
of trust and
transfer of
the works to
the council.

(2) All administration and management of the works exercisable by the trust under the Water Act, 1912-1955, immediately before the commencement of this Act shall subject to the provisions of this Act 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 trust 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 trust shall respectively be rates, charges, moneys, liquidated and unliquidated claims payable to or recoverable by the council.

Rates and charges made and levied by the trust and unpaid at the commencement of this Act may be increased by the council in the same manner as the trust might have done but for this Act.

(5) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the trust 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 trust and in force immediately before the 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.

(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 trust might have done but for this Act.

(8)

(8) The council may enforce and realise any security No. 17, 1959. or charge existing immediately before the commencement of this Act in favour of the trust 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 trust and all claims liquidated or unliquidated recoverable against the trust 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 trust are hereby transferred ^{Transfer of} _{servants.} to the service of the council.

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 trust to the service of the council under this section and for the purposes of the said section 20c service with the trust shall be deemed to have been service with a council.