

COLLARENEBRI WATER SUPPLY ACT.

New South Wales



ANNO SEPTIMO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 18, 1968.

An Act to transfer to the Council of the Shire of Walgett the works of water supply administered and managed by the Collarenebri Water Trust; to dissolve the Collarenebri 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, 2nd October, 1968.]

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 "Collarenebri Water Supply Act, 1968".

Short title
and com-
mencement.

(2)

Collarenebri Water Supply.

No. 18, 1968 — (2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Interpre-
tation.

2. In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

“Council” means the Council of the Shire of Walgett;

“the works” means the works of water supply administered and managed by the Trust immediately before the commencement of this Act;

“Trust” means the Collarenebri Water Trust constituted under the Water Act, 1912, as subsequently amended, by proclamation published in Gazette No. 82 of the twenty-sixth day of June, one thousand nine hundred and thirty-one.

Dissolution
of the
Trust and
transfer of
the works
to the
Council.

3. (1) The Trust is hereby dissolved.

(2) The administration and management of the works exercisable by the Trust under the Water Act, 1912, as subsequently amended, immediately before the commencement of this Act shall, subject to the provisions of this Act, be exercisable by the Council.

(3) The provisions of the Local Government Act, 1919, as subsequently amended, shall apply to the works and to the Council in respect of the works.

(4) 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.

(5) All rates, charges, moneys and 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 and liquidated and unliquidated claims payable to or recoverable by the Council.

(6)

Collarenebri Water Supply.

(6) Rates and charges made and levied by the Trust **No. 18, 1968** 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.

(7) 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.

(8) 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.

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

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

(11) 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.

(12) All liquidated and unliquidated claims in connection with the works for which the Trust would, but for this Act, have been liable shall be liquidated and unliquidated claims for which the Council shall be liable.

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

Collarenebri Water Supply.

No. 18, 1968 **4.** (1) Any person who immediately before the commencement of this Act was a full-time employee of the Trust engaged, as such an employee, solely and continuously on work in or in connection with the works is hereby transferred to the service of the Council.

Transfer of
employees.

(2) The provisions of section 20c of the Local Government Act, 1919, as subsequently amended, 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.

LOCAL