



New South Wales

Hay Irrigation Regulation 1997

under the

Hay Irrigation Act 1902

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Hay Irrigation Act 1902*.

KIM YEADON, M.P.,

Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to repeal the *Hay Irrigation (Leases) Regulation 1992* and to remake, with no changes in substance, the provisions of that Regulation that are still required. The new Regulation deals with the following matters:

- (a) the recovery of amounts payable under the *Hay Irrigation Act 1902* (clause 5),
- (b) the charging of interest on arrears of rent (clause 6),
- (c) the making of applications for the consent of the Lands Administration Ministerial Corporation to transfers or other dealings (clause 7),
- (d) the surrender of leases (clause 8),
- (e) the granting of licences to occupy (clause 9),
- (f) other matters of a minor, consequential or ancillary nature (clauses 1–4 and 10).

The Regulation is made under the *Hay Irrigation Act 1902*, including section 29 (the general regulation making power).

The Regulation comprises or relates to matters of a machinery nature.

The Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

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Hay Irrigation Regulation 1997

1 Name of Regulation

This Regulation is the *Hay Irrigation Regulation 1997*.

2 Commencement

This Regulation commences on 1 September 1997.

3 Definitions

In this Regulation:

approved means approved for the time being by the Ministerial Corporation.

Hay District Office means the Estate Services Office at Hay of the Department of Land and Water Conservation.

Ministerial Corporation means the Lands Administration Ministerial Corporation constituted by the *Crown Lands Act 1989*.

the Act means the *Hay Irrigation Act 1902*.

4 Notes

The explanatory note and table of contents do not form part of this Regulation.

5 Recovery of amounts payable under the Act

Any amount payable under the Act may be recovered as a debt due to the Ministerial Corporation.

6 Interest on arrears of rent

- (1) Any rent payable under the Act accrues interest at the rate prescribed for the time being under section 148 (2) of the *Crown Lands Act 1989*.
- (2) The Ministerial Corporation may, if it is satisfied that the circumstances so warrant, postpone or waive payment of the whole or any part of any interest payable under this clause or remit the whole or any part of any interest that has been paid.

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7 Applications for consent to transfers or other dealings

- (1) An application for the consent of the Ministerial Corporation to a transfer or other dealing, as referred to in section 23 of the Act, must be lodged at the Hay District Office.
- (2) The application must be accompanied by a fee of the amount prescribed for the time being under clause 10 of the *Crown Lands (Continued Tenures) Regulation 1995*.

8 Surrender of leases

- (1) A lessee may at any time, with the consent of the Ministerial Corporation, surrender the lease or part of the lease.
- (2) The Ministerial Corporation may accept a surrender.

9 Granting of licences to occupy

- (1) The Ministerial Corporation may grant licences to occupy land within the Area subject to such conditions as it determines.
- (2) A licence to occupy may be terminated at any time by either party by notice in writing to the other party.

10 Repeal

- (1) The *Hay Irrigation (Leases) Regulation 1992* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Hay Irrigation (Leases) Regulation 1992*, had effect under that Regulation continues to have effect under this Regulation.