



New South Wales

Water Management (Private Irrigation Boards) Amendment (Group Licences) Regulation 2002

under the

Water Management Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Management Act 2000*.

JOHN AQUILINA, M.P.,

Minister for Land and Water Conservation

Explanatory note

Division 4A of Part 2 of the *Water Act 1912* provides for the granting of group licences to boards of management under the now repealed *Private Irrigation Districts Act 1973*. Those boards of management are now private irrigation boards under the *Water Management Act 2000*.

The object of this Regulation is to ensure that the provisions of Division 4A of Part 2 of the *Water Act 1912* extend, with appropriate modifications, to the new private irrigation boards. The amendments effected by this Regulation are taken to have commenced on the commencement of the provisions of the *Water Management Act 2000* that repealed the *Private Irrigations Act 1973* (1 January 2000) and to expire on the commencement of the provisions of that Act that relate to approvals (by which group licences will be replaced).

This Regulation is made under the *Water Management Act 2000*, including section 400 (the general power to make regulations) and clause 1 of Schedule 9 (the power to make regulations of a savings or transitional nature).

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Clause 1 Water Management (Private Irrigation Boards) Amendment (Group Licences) Regulation 2002

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1 Name of Regulation

This Regulation is the *Water Management (Private Irrigation Boards) Amendment (Group Licences) Regulation 2002*.

2 Amendment of Water Management (Private Irrigation Boards) Regulation 2000

The *Water Management (Private Irrigation Boards) Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

Part 3

Insert after Part 2:

Part 3 Transitional provisions concerning group licences under the Water Act 1912

21 Application of Part

This Part is taken to have commenced on 1 January 2000, and ceases to have effect on the commencement of Part 3 of Chapter 3 of the Act.

22 Modification of Division 4A of Part 2 of Water Act 1912

- (1) Division 4A of Part 2 of the *Water Act 1912* (***the 1912 Act***) applies to and in respect of a private irrigation board under the *Water Management Act 2000* (***the 2000 Act***) in the same way as it applied to and in respect of the board of management of a provisional private district or private district under the *Private Irrigation Districts Act 1973* (***the 1973 Act***) before 1 January 2000.
- (2) In the application of Division 4A of Part 2 of the 1912 Act to and in respect of a private irrigation board under the 2000 Act:
 - (a) a reference to a Board of Management under the 1973 Act is to be read as a reference to a private irrigation board under the 2000 Act, and
 - (b) a reference to a provisional private district or private district under the 1973 Act is to be read as a reference to a private irrigation district under the 2000 Act, and
 - (c) section 20L (3) of the 1912 Act is to be read as if it did not require a private irrigation board to certify as to any matter before being issued with a group licence, and

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Schedule 1 Amendments

- (d) the references in section 20Q (2) (a) and (3) (c) (i) of the 1912 Act to section 11 of the 1973 Act are to be read as references to section 145 of the 2000 Act, and
- (e) section 20Q (3) (c) of the 1912 Act is to be read as if subparagraph (ii) were omitted.

BY AUTHORITY