



Hay Irrigation Regulation 2002

under the

Hay Irrigation Act 1902

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

JOHN AQUILINA, M.P.,

Minister for Land and Water Conservation

Explanatory note

The object of this Regulation is to provide for the following matters:

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

This Regulation replaces the *Hay Irrigation Regulation 1997*, which is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*. This Regulation is substantially the same as the repealed Regulation.

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.

2002 No 584

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Hay Irrigation Regulation 2002

1 Name of Regulation

This Regulation is the *Hay Irrigation Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

3 Definitions

(1) In this Regulation:

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

Hay District Office means the district office at Hay of the part of the Department of Land and Water Conservation operating under the name of "Land NSW".

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

the Act means the *Hay Irrigation Act 1902*.

(2) Notes in the text of this Regulation do not form part of this Regulation.

4 Recovery of amounts payable under the Act

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

5 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.

6 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 9 of the *Crown Lands (Continued Tenures) Regulation 2000*.

7 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.

8 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.

9 Savings

Any act, matter or thing that, immediately before the repeal of the *Hay Irrigation Regulation 1997*, had effect under that Regulation continues to have effect under this Regulation.

Note. The *Hay Irrigation Regulation 1997* is repealed on 1 September 2002 under section 10 (2) of the *Subordinate Legislation Act 1989*.