

Passed by both Houses



New South Wales

# Farm Debt Mediation Amendment (Water Access Licences) Bill 2005

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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2005*



New South Wales

## **Farm Debt Mediation Amendment (Water Access Licences) Bill 2005**

Act No , 2005

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An Act to amend the *Farm Debt Mediation Act 1994* so that the provisions of that Act apply in respect of a farm debt secured by an interest in a water access licence.

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*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*Chairman of Committees of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Farm Debt Mediation Amendment (Water Access Licences) Act 2005*.

**2 Commencement**

This Act commences on the date of assent to this Act.

**3 Amendment of Farm Debt Mediation Act 1994 No 91**

The *Farm Debt Mediation Act 1994* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Section 3)

**[1] Section 4 Definitions**

Insert at the end of paragraph (b) of the definition of *farm property* in section 4 (1):

, or

- (c) an access licence (within the meaning of the *Water Management Act 2000*) held by a farmer in connection with a farming operation.

**[2] Section 4 (1), definition of “statutory enforcement notice”**

Insert after paragraph (b):

- (b1) a notice under section 71X (1) (b) of the *Water Management Act 2000*, or

**[3] Schedule 1 Savings and transitional provisions**

Insert at the end of clause 1 (1):

the *Farm Debt Mediation Amendment (Water Access Licences) Act 2005*

**[4] Schedule 1, clause 9**

Insert after clause 8:

**9 Application of 2005 amending Act**

- (1) In this clause, *the 2005 amending Act* means the *Farm Debt Mediation Amendment (Water Access Licences) Act 2005*.
- (2) The amendments made by the 2005 amending Act extend to a farm mortgage involving an interest in, or power over, an access licence (within the meaning of the *Water Management Act 2000*) that was entered into before the commencement of the 2005 amending Act, even if the farmer is in default under the farm mortgage before the commencement of the 2005 amending Act.

Farm Debt Mediation Amendment (Water Access Licences) Bill 2005

Schedule 1      Amendments

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- (3) However, the amendments made by the 2005 amending Act do not affect any enforcement action commenced before the commencement of the 2005 amending Act.