



New South Wales

Water (Commonwealth Powers) Amendment (Termination of References) Bill 2020

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Water (Commonwealth Powers) Act 2008* to enable each House of Parliament, by resolution, to terminate certain references made under that Act for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 amends the *Water (Commonwealth Powers) Act 2008* to give effect to the object specified in the Overview above.



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Water (Commonwealth Powers) Amendment (Termination of References) Bill 2020

No. , 2020

A Bill for

An Act to amend the *Water (Commonwealth Powers) Act 2008* to enable each House of Parliament, by resolution, to terminate the references under that Act; and for related purposes.

The Legislature of New South Wales enacts—	1
1 Name of Act	2
This Act is the <i>Water (Commonwealth Powers) Amendment (Termination of References) Act 2020</i> .	3 4
2 Commencement	5
This Act commences on the date of assent to this Act.	6
3 Amendment of Water (Commonwealth Powers) Act 2008 No 69	7
(1) Section 4 Reference of matters	8
Insert “or 5A” after “section 5” in section 4(5)(b).	9
(2) Section 5A	10
Insert after section 5—	11
5A Termination of references by House of Parliament	12
(1) Either House of Parliament may, at any time, by resolution, terminate the references under this Act (a <i>termination resolution</i>).	13 14
(2) A termination resolution takes effect on the day that is 6 months after the day the resolution was passed.	15 16
(3) A motion for a termination resolution must set out the reasons for the resolution.	17 18
(4) A House of Parliament that has passed a termination resolution may, by a further resolution, revoke the termination resolution, in which case the revoked termination resolution is taken (for the purposes of section 4) never to have been passed.	19 20 21 22
(5) A resolution revoking a termination resolution has effect only if passed before the day on which the termination resolution takes effect.	23 24
(6) The revocation of a termination resolution does not prevent the passing of a further termination resolution under this section.	25 26