

Water Management (Broken Hill Water Supply—General) Regulation 1997

[1997-476]



New South Wales

Status Information

Currency of version

Repealed version for 1 January 2001 to 31 August 2004 (accessed 16 July 2024 at 16:29)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Previously named**
Water Supply Authorities (Broken Hill—General) Regulation 1997
- **Note**
The *Water Management (Broken Hill Water Supply—General) Regulation 1997* (formerly *Water Supply Authorities (Broken Hill—General) Regulation 1997*) made under the *Water Supply Authorities Act 1987* is on and from 1.1.2001 taken to be a regulation under the *Water Management Act 2000 No 92*. See clause 25 of Schedule 9 to the *Water Management Act 2000*.
- **Repeal**
The Regulation was repealed by the *Subordinate Legislation Act 1989 No 146*, sec 10 (2) with effect from 1.9.2004.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the *Interpretation Act 1987*.

File last modified 1 September 2004

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Water Management (Broken Hill Water Supply—General) Regulation 1997



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Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Water Management (Broken Hill Water Supply—General) Regulation 1997*.

2 Commencement

This Regulation commences on 1 September 1997.

3 Definitions

In this Regulation:

Corporation means Australian Inland Energy Water Infrastructure.

Council means the Council of the City of Broken Hill.

the Act means the *Water Management Act 2000*.

water control scheme means a scheme referred to in clause 5.

4 Notes

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

4A Construction of references in Division 2 of Part 2 of Schedule 5 to Act

Any reference to the Broken Hill Water Board in Division 2 of Part 2 of Schedule 5 to the Act is taken to be a reference to Australian Inland Energy Water Infrastructure.

4B Exemption from sections 293, 320 and 321 of Act

Australian Inland Energy Water Infrastructure is exempt from sections 293 (1) (b), 320 and 321 of the Act.

Part 2 Water use control schemes

5 Establishment of scheme to control use of water

The Corporation may, by order published in a newspaper circulating in the Corporation's area of operations, establish a scheme to control the use of water supplied by the Corporation.

6 Corporation may require compliance with established scheme

- (1) In the event of drought, accident or other cause adversely affecting the Corporation's ability to supply water, the Corporation may serve on a person who is affected by a water control scheme:
 - (a) a copy of the scheme, as currently in force, and
 - (b) a written notice prohibiting the person from using water supplied by the Corporation otherwise than in accordance with the scheme.
- (2) The documents referred to in subclause (1) may be served personally or by post.

7 Offence

A person who is affected by a water control scheme and on whom a written notice is served in accordance with clause 6 must not use water supplied by the Corporation otherwise than in accordance with the scheme.

Maximum penalty: 10 penalty units.

Part 3 Miscellaneous

8-10 (Repealed)

11 Penalty notice offences

For the purposes of section 365 of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 3 of Schedule 1.

12 Short description of offences

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 1 is:
 - (a) the expression specified in Column 2 of that Schedule, or
 - (b) if a choice of words is indicated in that expression, the words remaining after the

omission of the words irrelevant to the offence.

- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 1, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used, and any such document continues to have effect as if that expression had not been amended or repealed.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

13 Repeal

- (1) The *Water Supply Authorities (Broken Hill-General) Regulation 1992* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Water Supply Authorities (Broken Hill-General) Regulation 1992*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Penalty notice offences

(Clauses 11 and 12)

Column 1	Column 2	Column 3
Clause 7	use water contrary to water control scheme	\$200