

Manning District Water Supply Act 1969 No 21

[1969-21]



New South Wales

Status Information

Currency of version

Repealed version for 2 April 1969 to 5 January 2012 (accessed 18 July 2024 at 8:27)

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—

- **Repeal**

The Act was repealed by Sch 5 to the *Statute Law (Miscellaneous Provisions) Act (No 2) 2011 No 62* with effect from 6.1.2012.

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 6 January 2012

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Manning District Water Supply Act 1969 No 21



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An Act to transfer to the Manning River County Council the works of water supply administered and managed by the Taree-Wingham Water Supply Board of Management; to dissolve the Taree-Wingham Water Supply Board of Management; to repeal the *Taree-Wingham Water Supply Administration Act 1929-1954*; to validate certain matters; and for purposes connected therewith.

1 Name of Act and commencement

- (1) This Act may be cited as the *Manning District Water Supply Act 1969*.
- (2) This Act shall be deemed to have commenced on the first day of January, one thousand nine hundred and sixty-eight.

2 Repeals and savings

- (1) The Acts enumerated in the Schedule to this Act are to the extent therein specified hereby repealed.
- (2) As on and from the commencement of this Act a reference express or implied to the Board in any Act, regulation, by-law or other instrument whatsoever shall be read and construed as a reference to the Council.

3 Definitions

In this Act, except in so far as the context or subject-matter otherwise indicates or requires:

Board means the Board of Management constituted by an Agreement made on the tenth day of October, one thousand nine hundred and twenty-eight, between the Councils of the Municipalities of Taree and Wingham and the Minister for Public Works in and for the State of New South Wales and contained in the First Schedule to the *Taree-Wingham Water Supply Administration Act 1929-1954*.

Council means the Manning River County Council.

the works shall mean the works referred to in Clause 3 of the Agreement made on the tenth day of October, one thousand nine hundred and twenty-eight, between the Councils

of the Municipalities of Taree and Wingham and the Minister for Public Works and contained in the First Schedule to the *Taree-Wingham Water Supply Administration Act 1929-1954*, and the works referred to in Clause 3 (2) of the Agreement made on the fifteenth day of May, one thousand nine hundred and fifty-three, between the aforesaid Councils and the Minister for Public Works and contained in the Second Schedule to the *Taree-Wingham Water Supply Administration Act 1929-1954*.

4 Dissolution of Board and transfer of the works to the Council

- (1) The Board is hereby dissolved.
- (2) All administration, control, operation and management of the works exercisable by the Board immediately before the commencement of this Act under the *Taree-Wingham Water Supply Administration Act 1929-1954* shall, subject to the provisions of this Act, be exercisable by the Council.
- (3) The provisions of the [Local Government Act 1919](#), as subsequently amended, shall apply to the works and to the Council in respect of the works.
- (4) All real and personal property, including all books and documents and all right and interest therein, which immediately before the commencement of this Act were vested in or belonged to the Board shall vest in and belong to the Council.
- (5) All rates, charges, moneys, and liquidated and unliquidated claims which immediately before the commencement of this Act were payable to or recoverable by the Board shall respectively be rates, charges, moneys, and liquidated and unliquidated claims payable to or recoverable by the Council.
- (6) Rates and charges made and levied by the Board and unpaid at the commencement of this Act may be increased by the Council in the same manner as the Board might have done but for this Act.
- (7) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the Board shall respectively be suits, actions and proceedings at the suit of the Council.
- (8) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the Board and in force immediately before the commencement of this Act shall respectively be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the Council.
- (9) The Council may pursue the same remedies for the recovery of any such rates, charges, moneys and claims and for the prosecution of such suits, actions and proceedings as the Board might have done but for this Act.
- (10) The Council may enforce and realise any security or charge existing immediately before the commencement of this Act in favour of the Board in respect of any such

rates, charges, moneys and claims as if such security or charge were existing in favour of the Council.

(11) All debts due and moneys payable by the Board and all claims, liquidated or unliquidated, recoverable against the Board shall be debts due, moneys payable by and claims recoverable against the Council.

(12) All liquidated and unliquidated claims in connection with the works for which the Board would, but for this Act, have been liable shall be liquidated and unliquidated claims for which the Council shall be liable.

(13) No attornment by a lessee of any land vested in the Council by this section shall be necessary.

5 Transfer of service

All persons who immediately before the commencement of this Act were servants of the Board are hereby transferred to the service of the Council.

The provisions of paragraph (m) of subsection one of section 564B of the [Local Government Act 1919](#), as subsequently amended, shall apply, mutatis mutandis, to and in respect of the transfer of any person from the service of the Board to the service of the Council under this section and for the purposes of the said paragraph service with the Board shall be deemed to have been service with a council.

Schedule

(Section 2)

No of Act	Title of Act	Extent of Repeal
Act No 44, 1929	Taree-Wingham Water Supply Administration Act 1929	The whole
Act No 10, 1954	Taree-Wingham Water Supply Administration (Amendment) Act 1954	The whole