

# Grafton Water Supply Act 1956 No 33

[1956-33]



New South Wales

## Status Information

### Currency of version

Repealed version for 9 November 1956 to 5 January 2012 (accessed 21 December 2024 at 21:59)

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The Act was repealed by Sch 5 to the *Statute Law (Miscellaneous Provisions) Act (No 2) 2011 No 62* with effect from 6.1.2012.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

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# Grafton Water Supply Act 1956 No 33



New South Wales

An Act relating to the water supply for the Municipality of Grafton; to dissolve the Grafton and South Grafton Water Board; to repeal the *Grafton and South Grafton Water Supply Administration Act 1915–1946*; and for purposes connected therewith.

## 1 Name of Act and commencement

- (1) This Act may be cited as the *Grafton Water Supply Act 1956*.
- (2) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

## 2 Definitions

In this Act, unless the context or subject matter otherwise indicates or requires:

**Board** means the Grafton and South Grafton Water Board constituted under the *Grafton and South Grafton Water Supply Administration Act 1915*, as amended by subsequent Acts.

**Council** means the council of the Municipality of Grafton.

**The works** has the meaning ascribed thereto in the *Grafton and South Grafton Water Supply Administration Act 1915*, as amended by subsequent Acts.

## 3 Dissolution of body corporate and transfer of the works to the council

- (1) The body corporate constituted by section three of the *Grafton and South Grafton Water Supply Administration Act 1915*, as amended by subsequent Acts, under the name of the “Grafton and South Grafton Water Board” is hereby dissolved.
- (2) All administration, control and management of the works exercisable by the board immediately before the commencement of this Act under the *Grafton and South Grafton Water Supply Administration Act 1915*, as amended by subsequent Acts, shall be exercisable by the council.

The provisions of the *Local Government Act 1919*, as amended by subsequent Acts, shall apply to the works and to the council in respect of the works.

- (3) 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.
- (4) All rates, charges, moneys, 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, liquidated and unliquidated claims payable to or recoverable by the council.
- (5) 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 pending at the suit of the council.
- (6) 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.
- (7) 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.
- (8) 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.
- (9) 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.
- (10) No attornment by a lessee of any land vested in the council by this section shall be necessary.

#### **4 Transfer of servants**

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 section 20C of the *Local Government Act 1919*, as amended by subsequent Acts, 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 section 20C service with the board shall be deemed to have been service with a council.

#### **5 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 to the Grafton and South Grafton Water Board in any Act or other instrument shall be read and construed as a reference to the council.

## Schedule

(Section 5)

No of Act	Title of Act	Extent of Repeal
Act No 38, 1915	<a href="#">Grafton and South Grafton Water Supply Administration Act 1915.</a>	The whole.
Act No 7, 1931	<a href="#">Grafton and South Grafton Water Supply Administration (Amendment) Act 1931.</a>	The whole.
Act No 10, 1937	<a href="#">Local Government (Amendment) Act 1937.</a>	Section 15.
Act No 35, 1937	<a href="#">Statute Law Revision Act 1937.</a>	So much of the Second Schedule as amended section 18 of Act No 38, 1915.
Act No 20, 1946	<a href="#">Grafton and South Grafton Water Supply Administration (Amendment) Act 1946.</a>	The whole.