



New South Wales

Farm Debt Mediation Amendment (Water Access Licences) Act 2005 No 95

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New South Wales

Farm Debt Mediation Amendment (Water Access Licences) Act 2005 No 95

Act No 95, 2005

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.
[Assented to 24 November 2005]

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.

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.

Schedule 1 Amendments

- (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.

[Second reading speech made in—
Legislative Assembly on 19 October 2005
Legislative Council on 16 November 2005]

BY AUTHORITY