

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1901.

A BILL

To authorise the leasing of artesian wells and works connected therewith and land adjacent thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same as follows:—

1. This Act may be cited as the "Artesian Wells (Leasing) Short title. Act, 1901."

2. (1) Where, in pursuance of the Artesian Wells Act, 1897, Leasing of artesian wells and works. any artesian well with or without channels or other works for the supply of the water of the well has, before or after the commencement of this Act, been constructed by the Minister or the Crown, it shall be lawful for the Minister to lease under this Act the well and the works and any area not exceeding forty acres of Crown lands adjacent to the well.

(2) Such lease shall only be granted on application being made in writing in the manner prescribed and signed by persons—

- (a) who constitute a two-thirds majority of the total number of the persons who are liable or who would be liable under the Artesian Wells Act, 1897, to pay charges in respect of the well; and

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(b) who own or occupy or are mortgagees of an area of land exceeding two-thirds of the area of the land which is subject to or would be subject to such charges, and naming the persons to whom such lease may be granted ; and such lease shall only be granted to the persons so named.

(3) Any such lease shall be for a term not exceeding three years, and shall contain such conditions as to the Minister may seem reasonable.

(4) The rent shall be the aggregate amount of the charges which are payable or which would be payable by occupiers in respect of the well and the supply of the water of the well under the Artesian Wells Act, 1897 (deduction being made for the probable cost of the maintenance of the channels and other works aforesaid), if such amount is equal to or greater than four per centum of the cost to the Crown of the well and the works, including the cost of surveys, plans, and resumptions, but if such amount is less than such percentage of the said cost, the rent shall be four per centum of such cost.

(5) In any such lease power may be given to the lessees to sell the water or otherwise dispose of it at rates to be approved by the Minister.

(6) A copy or an abstract of every lease granted under this Act shall be laid before both Houses of Parliament within fourteen days after such grant if Parliament is then sitting, but if Parliament is not then sitting, within fourteen days after the next meeting of Parliament.

3. The Governor may make regulations applicable to any particular well, works, and land leased under this Act, or to all such wells, works, and land, prescribing the duties of the lessees as to the improvement, maintenance, and use of any well and works so leased, and for enforcing the conditions of any such lease, and may in those regulations prescribe or authorise the lessees to make by-laws prescribing the rights and duties as between themselves in respect of the well and the works and the water therein and the land leased under this Act.

The Governor may in those regulations impose any penalty not exceeding _____ pounds for any breach of the same, which penalty may be recovered in a summary way before a court of petty sessions.