

No. , 1918.

A BILL

To amend the Water Act, 1912 ; to extinguish the cost of works of certain drainage trusts ; to extend the period for repayment of cost of works of certain drainage trusts ; to increase the maximum rate which may be imposed by the Brundee Swamp Drainage Trust ; to validate certain acts and notifications ; to annul the dissolution of the James Creek Drainage Trust ; and for purposes consequent thereon or incidental thereto.

[MR. BALL ;— *December, 1918.*]

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:—

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Short title.

1. This Act may be cited as the "Water (Amendment) Act, 1918," and shall be construed with the Water Act, 1912.

Curl Curl
Drainage
Trust and Big
Swamp
Drainage
Trust.

Newrybar,
Cudgera, and
Mooball and
Crabbe's
Creek Drain-
age Trust.

Tuckean
Swamp
Drainage
Trust.

2. (1) The cost of the works of the Curl Curl Lagoon Drainage Trust, and of the Big Swamp Drainage Trust, together with all unpaid interest thereon, is hereby extinguished.

(2) The sinking fund charges in respect of the Newrybar Swamp Drainage Trust, Cudgera Drainage Trust, and Mooball and Crabbe's Creek Swamp Drainage Trust shall be deemed not to have commenced to run until the expiration of a period of three years from the date of the notification of the completion of the original works in each case respectively, and the period allotted within which the cost of such works in each case respectively shall be repaid shall be calculated as from the expiration of such period of three years.

The sinking fund charges in respect of the Tuckean Swamp Drainage Trust shall be deemed not to have commenced to run until the expiration of a period of one year from the date of the notification of the completion of the original works, and the period allotted within which the cost of such works shall be repaid shall be calculated as from the expiration of such period of one year:

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Provided that the Minister may, by notification in the Gazette, fix the cost of the works of the said trusts respectively by adding in each case to the amount of the cost already fixed all unpaid interest thereon at the rate set out in their respective constitutions during such period of three years or one year as the case may be, and the amounts so notified and no other shall be payable by the said trusts respectively, and thereupon the annual instalments payable by the respective trusts shall be adjusted accordingly.

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(3).

(3) The notification by the Minister published in the Gazette of the eighth day of July, one thousand nine hundred and fourteen, purporting to cancel the previous notification of the completion of works of the
5 Lavender Swamp Drainage Trust, and the notification published in the Gazette of the fifth day of August, one thousand nine hundred and fourteen, fixing the cost of the works of the said trust at the sum of one thousand two hundred and ninety-two pounds fifteen shillings and 10 fourpence, are hereby ratified and confirmed.

Lavender
Swamp
Drainage
Trust.

(4) The maximum rate per acre which the trustees of the Brundee Swamp Drainage Trust are empowered to levy is hereby increased to one shilling and sixpence per acre.

15 (5) The dissolution by the Governor of the James Creek Drainage Trust, and the notification thereof published in the Gazette, are hereby declared to be and to have been null and void and of no effect.

James Creek
Drainage
Trust.

All acts done by the Minister or by the manager of the said trust, and all rates imposed by the Minister since the date of the said dissolution, are hereby ratified and declared to be and to have been valid.

30 3. (1) Section thirty-two, paragraph (c), of the Water Act, 1912, is amended by omitting the words of s. 32.
25 "shall not exceed four per centum per annum and."

(2) Section fifty-nine of the said Act is repealed and the following section is substituted therefor :—

Repeal of
s. 59.

35 59. (1) In the event of any delay in the election of trustees or in the event of any default by trustees in the discharge of their duties under this Part or the regulations made thereunder, or of the rate-payers failing to elect trustees, or the required number of trustees, the Minister may, by notification in the Gazette—

Powers of
Minister to
remove
trustees and
assume their
powers, etc.

- 35 (i) remove a trustee or trustees from office, and direct the election of another trustee or other trustees ;
40 (ii) remove a trustee or trustees (if any) and assume all powers, duties, and obligations by this Part conferred or imposed on the trustees, and may appoint a manager of the affairs of the trust : Provided

Water (Amendment).

Provided that the Minister may at any time direct the election of trustees, and upon such election all such powers, duties, and obligations shall be revested in and reimposed upon the trustees.

Governor
may dissolve
trust.

(2) The Governor may, where in his opinion sufficient reason exists, dissolve a trust, and may extinguish any liability of such trust to the Crown.