

NORTH ESX REGIONAL WATER SUPPLY.

No. 16 of 1956.

AN ACT to amend the *North Esk Regional Water Supply Act 1949.*

[15 May 1956.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

1—(1) This Act may be cited as the *North Esk Regional Water Supply Act 1956.*

(2) The *North Esk Regional Water Supply Act 1949*, as subsequently amended, is in this Act referred to as the Principal Act.

Interpretation.

2 Section two of the Principal Act is amended—

(a) by omitting the definition of “basic allowance” and substituting therefor the following definition:—

“‘Board’ means the Water, Sewerage, and Drainage Board constituted under the *Water, Sewerage, and Drainage Board Act 1944*;” and

(b) by omitting the definition of “determined population”.

Management vested in the Administrator.

3 Section four of the Principal Act is amended by omitting therefrom the words “and management” (wherever occurring) and substituting therefor, in each case, the words “, management, and maintenance”.

Powers of Minister for constructing works.

4 Section seven of the Principal Act is amended—

(a) by omitting therefrom the words “and maintenance”;

(b) by omitting from paragraph (b) the words “, lay down, maintain, alter, and repair” and substituting therefor the words “, and lay down”;

(c) by omitting from paragraph (e) the words “, maintain, alter, repair, and use”;

(d) by omitting from paragraphs (d) and (e) the words “, maintaining, altering, or repairing” (wherever occurring); and

(e) by omitting from paragraph (g) the words “and maintenance”.

- 5** Section eight of the Principal Act is amended by omitting from subsection (1) the words "and maintenance". Compensation for damage.
- 6** Section nine of the Principal Act is amended— Administrator to have same powers for certain purposes.
- (a) by omitting from subsection (1) the words "and management" and substituting therefor the words ", management, and maintenance"; and
- (b) by omitting from that subsection the words ", maintenance, laying down, alteration, and repair".
- 7** Section twenty of the Principal Act is amended— Limitation of Administrator's obligation to supply water.
- (a) by omitting from subsection (1) the words "and to other consumers as provided by Part VIII"; and
- (b) by omitting from subsection (2) the words "or person".
- 8** Section twenty-one of the Principal Act is repealed. Basic allowance of water to councils.
- 9** Section twenty-three of the Principal Act is repealed and the following sections are substituted therefor:—
- "23.—(1) The Administrator may make charges for all water supplied to a council under this Act in any financial year at such rate as may be fixed by the Administrator in relation to that financial year. Charges for water supplied to councils.
- (2) A rate fixed by the Administrator under subsection (1) of this section shall not exceed such rate as the Administrator may consider necessary for the purpose of reimbursing the actual cost to the Administrator of supplying that water.
- (3) The Administrator shall, during the month of July in each financial year, publish in the *Gazette* a notice specifying the rate fixed by him in relation to that financial year for the purpose of this section.
- (4) The regulations may provide for the manner in which, and the times at which, payment shall be made by the councils for the supply of water under this Act.
- "23A.—(1) The Board may, for the purpose of assisting a council to pay for water supplied to it by the Administrator in pursuance of this Act, recommend to the Minister that an annual subsidy be paid to the council in accordance with this section. Subsidies to councils.
- (2) The Board may recommend that the payment of a subsidy under this section shall be subject to the observance by the council of such terms and conditions as the Board may think desirable (including conditions as to the rates or amounts to be charged by the council in respect of water supplied to persons residing in any water district constituted for its municipality).

(3) For the purposes of this section, the Board shall, during the month of July in each financial year, determine—

- (a) the total amount of the reasonable annual charges that, in the opinion of the Board, should be met by the council during that financial year in relation to—
- (i) the costs of construction, and the maintenance and administration, of water reticulation works constructed by the council in accordance with section eleven; and
 - (ii) the supply of water to the council in accordance with section seventeen; and
- (b) the amount of the revenue that, in the opinion of the Board, the council could reasonably be expected to receive during that financial year for water taken from the water supply works and supplied by the council to persons residing within any water district constituted for its municipality, having regard to such standards relating to charges for water supplied as the Board may determine,

and may recommend the payment to the council during that financial year of a subsidy of such amount (not exceeding the difference between the amounts referred to in paragraphs (a) and (b) of this subsection) as the Board thinks reasonable in the circumstances.

Payment of subsidies.

“23B. All subsidies paid under section twenty-three A shall be paid out of moneys to be provided by Parliament for that purpose.”.

Part VII.

10 Part VII of the Principal Act is repealed.

Supply of water to other persons.

11 Section thirty-three of the Principal Act is amended by inserting in subsection (1), after the word “thirty-two”, the words “, and subject to section thirty-five,”.

Water supplied by Administrator.

12 Section thirty-four of the Principal Act is amended by inserting after subsection (3) the following subsection:—

“(3A) Any connection made to the point from which the supply of water is drawn for the purpose of supplying water to a consumer shall be of such size and type as may be approved by the Administrator.”.

13 Sections thirty-five, thirty-six, and thirty-seven of the Principal Act are repealed and the following section is substituted therefor:—

Charges for water supplied to consumers.

“35.—(1) The Administrator may make charges for all water supplied to a consumer under this Part in any financial year at such rates as may be fixed by the Administrator in relation to that financial year, but not exceeding—

- (a) in respect of the first eighty thousand gallons so supplied to that person in that financial year, such rate per gallon as the Board may certify to the Administrator to be a reasonable rate for the supply of water to a dwelling-house; and
- (b) in respect of any quantity of water in excess of eighty thousand gallons so supplied to that person in that financial year, such rate as the Administrator may consider necessary for the purpose of reimbursing the actual cost to the Administrator of supplying that water.

(2) The Administrator shall, during the month of July in each financial year, publish in the *Gazette* a notice specifying the rates fixed by him in relation to that financial year for the purposes of paragraphs (a) and (b) respectively of subsection (1) of this section.”.

14 Sections forty-one, forty-two, and forty-three are repealed and the following sections are substituted therefor:—

“41.—(1) There shall be kept in the books of the Treasury— Accounts.

- (a) an account to be called the North Esk Regional Water Supply Account (in this section called ‘the Account’); and
- (b) such other accounts as the Treasurer may deem necessary for the purposes of this Act.

(2) There shall be credited to the Account all revenue received by the Administrator under this Act, and such amounts as may be provided by Parliament for the purposes of this Act.

(3) There shall be debited to the Account—

- (a) interest;
- (b) payments made to the Treasurer under section forty-three;
- (c) administration charges;
- (d) cost of operation and expenditure on repairs, maintenance, and renewals; and
- (e) any other costs or expenses incurred in the administration of this Act.

(4) If the Account for any financial year—

- (a) shows a credit balance, the amount thereof shall be paid to the Treasurer on account of the Consolidated Revenue; or
- (b) shows a debit balance, the Treasurer shall pay to the Administrator out of the Consolidated Revenue (which, to the necessary extent, is appropriated accordingly) the amount of the debit balance.

Interest.

“42. The Administrator shall pay to the Treasurer, to the credit of the Consolidated Revenue, quarterly, on the last days of September, December, March, and June, respectively, in each financial year, interest at the State rate, within the meaning of section twenty-four of the *Hydro-Electric Commission Act 1944*, on—

- (a) the net daily balance standing to the debit of the loan account in the Treasury kept for the purposes of this Act; and
- (b) the net daily balance of such other accounts kept in the books of the Treasury for the purposes of this Act as the Treasurer may determine.

Reimbursement of sinking fund contributions.

“43. The Administrator shall pay to the Treasurer in each financial year such sums as the Treasurer certifies to be necessary to reimburse the Treasurer in respect of the amount of the sinking fund contributions payable by him in that financial year to the National Debt Commission in respect of moneys borrowed and applied by the Treasurer for the purposes of this Act.”

EMERGENCY HOUSING ACCOMMODATION.

No. 17 of 1956.

AN ACT to amend the *Emergency Housing Accommodation Act 1946*.

[16 May 1956.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

1—(1) This Act may be cited as the *Emergency Housing Accommodation Act 1956*.

(2) The *Emergency Housing Accommodation Act 1946*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section ten of the Principal Act is repealed and the following section is substituted therefor:—

Expiry of Act.

“10. This Act shall expire on the thirtieth day of June 1957.”