

HOMES.

No. 14 of 1956.

AN ACT to amend the *Homes Act 1935*. [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 *Homes Act 1956*.

(2) The *Homes Act 1935*, as subsequently amended, is in this Act referred to as the Principal Act.

Interpreta-
tion.

2 Section three of the Principal Act is amended by omitting from the definition of “Purchaser” in subsection (1) the word “Board” and substituting therefor the word “Director”.

Borrowing
powers of the
Treasurer.

3 Section seven of the Principal Act is amended—

(a) by omitting from subsection (1) the word “twenty” and substituting therefor the word “twenty-six”; and

(b) by omitting from paragraph I of that subsection the word “Fourteen” and substituting therefor the word “Twenty”.

SOUTHERN REGIONAL WATER SUPPLY.

No. 15 of 1956.

AN ACT to amend the *Southern Regional Water Supply 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 *Southern Regional Water Supply Act 1956*.

(2) The *Southern Regional Water Supply Act 1946*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section two of the Principal Act is amended—

Interpretation.

(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”.

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”.

Vesting of control of Southern Regional Water Supply in Administrator.

4 Section seven of the Principal Act is amended—

Powers of Minister in relation to construction and maintenance of works.

(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 (c) the words “, maintain, alter, repair, and use”;

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

(e) by omitting from paragraph (f) the words “and maintain”; and

(f) by omitting from paragraph (h) the words “and maintenance”.

5 Section eight of the Principal Act is amended by omitting from subsection (1) the words “and maintenance”.

Minister to avoid damage when executing works.

6 Section nine of the Principal Act is amended—

Powers of Administrator in relation to control, &c., of works.

(a) by omitting therefrom the words “and management” and substituting therefor the words “, management, and maintenance”; and

(b) by omitting therefrom the words “, maintenance, laying down, alteration, and repair”.

7 Section twenty-one of the Principal Act is amended—

(a) by omitting therefrom the word “The” and substituting therefor the words “Subject to this section, the”; and

Supply of water to persons not resident in a water district.

(b) by adding at the end thereof the following subsections:—

“(2) The Administrator may make charges for all water supplied to a person under this section 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.

“(3) 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 (2) of this section.”.

Supply of water by Administrator.

8 Section twenty-three of the Principal Act is amended—

(a) by omitting from subsection (1) the words “and to other persons, as provided by this Act,”; and

(b) by omitting from subsections (2) and (3) the words “or person” (wherever occurring).

Basic allowances of water.

9 Section twenty-four of the Principal Act is repealed.

10 Sections twenty-six and twenty-seven of the Principal Act are repealed and the following sections are substituted therefor:—

Charges for water supplied to councils.

“26.—(1) Subject to section twenty-seven, 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.

(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 purposes of this section.

(4) The regulations may provide for the manner in which, and the times at which, payment shall be made by councils for the supply of water under this Act.

“27. Notwithstanding any other provision of this Act, the Administrator may enter into an agreement with the council of the municipality of New Norfolk to supply water to that council on such terms, as to payment therefor and otherwise, as may be specified in the agreement.

Charge for water supplied to municipality of New Norfolk.

“28.—(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 twelve; and
 - (ii) the supply of water to the council in accordance with section nineteen; 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.

Subsidy to
Adminis-
trator.

“28A.—(1) The Board may recommend to the Minister that an annual subsidy be paid to the Administrator in respect of the supply of water by the Administrator to the council of the municipality of New Norfolk pursuant to an agreement under section twenty-seven.

(2) The amount of the subsidy to be paid to the Administrator under this section in any financial year shall not exceed the amount of the difference (if any) between—

- (a) the amount certified by the Administrator to be the amount estimated by him to be necessary to reimburse the actual cost to the Administrator of supplying water to the council during that financial year; and
- (b) the amount certified by the Administrator to be the estimated total amount of the payments to be made by the council to the Administrator, pursuant to any agreement entered into under section twenty-seven for water supplied to it by the Administrator during that financial year.

Payment of
subsidies.

“28B. All subsidies paid under sections twenty-eight and twenty-eight A shall be paid out of moneys to be provided by Parliament for that purpose.”.

Rebate to
New Norfolk.

11 Section twenty-nine of the Principal Act is repealed.

12 Sections thirty-one, thirty-two, thirty-three, and thirty-four of the Principal Act are repealed and the following sections are substituted therefor:—

Accounts.

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

- (a) an account to be called the Southern Regional Water Supply Account (in this section referred to as ‘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 (including any subsidy under section twenty-eight A) 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 thirty-three;
- (c) administration charges;
- (d) costs 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.

“ 32. 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— Interest.

- (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 standing to the debit of such other accounts kept in the books of the Treasury for the purposes of this Act as the Treasurer may determine.

“ 33. 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. Reimbursement of sinking fund contributions.

“ 34. The Treasurer may borrow any sums of money, not exceeding in the whole the sum of fifty thousand pounds, and advance the moneys so borrowed to the Administrator for the purposes of working capital, as and when required for that purpose.” Advances by Treasurer.

13 The second schedule to the Principal Act is amended— Second schedule.

- (a) by inserting after paragraph 3 the following paragraph:—

“ 3A. Any connection made to the main on the water supply works for the purpose of supplying water to the consumer shall be of such size and type as may be approved by the Administrator.”; and

- (b) by omitting paragraph 5.

14 The Principal Act is amended by omitting the third schedule thereto. Third schedule.