

Queensland



Water Act 2000

WATER (TRANSITIONAL) REGULATION 2000

**Reprinted as in force on 17 October 2000
(includes amendments up to SL No. 266 of 2000)**

Reprint No. 1A

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Information about this reprint

This regulation is reprinted as at 17 October 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



WATER (TRANSITIONAL) REGULATION 2000

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WATER (TRANSITIONAL) REGULATION 2000

[as amended by all amendments that commenced on or before 17 October 2000]

Short title

1. This regulation may be cited as the *Water (Transitional) Regulation 2000*.

Commencement

2. This regulation commences on 1 October 2000.

Service provider powers for existing local governments, water authorities or other persons

3.(1) This section applies to a local government, water authority or other person mentioned in section 370 of the Act and operating a similar business to that of a service provider at the commencement of this section.

(2) The local government, water authority or other person is taken to be a service provider for chapter 3, part 2, divisions 2 to 4 of the Act until the earlier of the following—

- (a) the day the local government, water authority or other person—
 - (i) stops operating the similar business; or
 - (ii) is registered as a service provider under section 372 of the Act;
- (b) 1 January 2001.

(3) For chapter 3, part 2, division 2 of the Act, the local government, water authority or other person is taken to be a service provider only for the water or sewerage services supplied by the local government, water authority or other person at the commencement.

Existing applications about water supplied in an irrigation or project area

4.(1) Subsection (2) applies if immediately before an interim resource operations licence is granted for an irrigation or project area—

- (a) an application has been made under the repealed Act for—
 - (i) the re-instatement or replacement of a licence that has lapsed; or
 - (ii) a new licence because of a change in ownership of the land to which a licence attached; or
 - (iii) approval to transfer under the *Water Resources Regulation 1999*, part 2, rights to a part 4 or 9 allocation; and
- (b) the application has not been decided before the interim resource operations licence is granted.

(2) The application must be decided under the repealed Act, as it was at the time the application was made.

(3) If an application under subsection (1) is approved, the chief executive must grant to the applicant an interim water allocation.

Granting, or amending, licences to continue taking water

5.(1) On or after the day the chief executive grants the corporatised entity an interim resource operations licence under section 1111 of the Act for an irrigation or project area, the chief executive—

- (a) if, before the interim resource operations licence was granted, a water authority was involved in the activity of taking water in the irrigation or project area other than under an existing authority—may grant the water authority a licence to continue the activity; and
- (b) if, before the interim resource operations licence was granted, the holder of a licence under part 4 of the repealed Act was involved in the activity of taking water in the irrigation or project area other than under the licence—may amend the licence or grant the holder a new licence to continue the activity; and
- (c) if, before the interim resource operations licence was granted, the

holder of any other authority under the repealed Act was involved in the activity of taking water in the irrigation or project area other than under the authority—may grant the holder a licence to continue the activity.

(2) A licence granted or amended under subsection (1) must be granted or amended within 30 business days after the day the chief executive grants the corporatised entity the interim resource operations licence for the irrigation or project area.

(3) A licence granted under subsection (1) is taken to be a licence under part 4 of the repealed Act.

(4) The licence or amended licence takes effect from the day the licence is granted or amended.

Authorities under part 4 of the repealed Act

6.(1) Subsection (2) applies if—

- (a) a person has an authority under part 4 of the repealed Act that was in force immediately before the day the chief executive grants the corporatised entity an interim resource operations licence under section 1111 of the Act for an irrigation or project area; and
- (b) the authority was to take water in the irrigation or project area; and
- (c) the entitlement to take water under the authority was expressed as an area; and
- (d) the water is managed by the corporatised entity using the entity's water infrastructure.

(2) On and from the day the chief executive grants the corporatised entity the interim resource operations licence, the authority is an interim water allocation giving the person an entitlement to take water within the total volume of water to be managed by the corporatised entity under the entity's interim resource operations licence for the irrigation or project area.

(3) Each interim water allocation attaches to the land to which the authority attached.

Expiry

7. This regulation expires on 30 September 2001.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 17 October 2000. Future amendments of the Water (Transitional) Regulation 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	none	4 October 2000

5 List of legislation

Water (Transitional) Regulation 2000 SL No. 259

made by the Governor in Council on 28 September 2000

notfd gaz 29 September 2000 pp 404–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 October 2000 (see s 2)

exp 30 September 2001 (see s 4)

as amended by—

Water (Transitional) Amendment Regulation (No. 1) 2000 SL No. 266

notfd gaz 13 October 2000 pp 565–6

commenced on date of notification

6 List of annotations

Existing applications about water supplied in an irrigation or project area

s 4 ins 2000 SL No. 266 s 4

Granting, or amending, licences to continue taking water

s 5 ins 2000 SL No. 266 s 4

Authorities under part 4 of the repealed Act

s 6 ins 2000 SL No. 266 s 4

Expiry

s 7 (prev s 4) renum 2000 SL No. 266 s 3