

NEW SOUTH WALES—QUEENSLAND BORDER RIVERS AMENDMENT BILL 2001

EXPLANATORY NOTES

1. GENERAL OUTLINE

1.1 OBJECTIVES OF THE BILL

The objective of the proposed legislation is to enable the New South Wales –Queensland Border Rivers Agreement contained in the *New South Wales – Queensland Border Rivers Act 1946* (the Act), to be amended to provide that the Dumaresq-Barwon Border Rivers Commission may allocate to a State any part of the supply of water to which that State was entitled in respect of any previous period of time and which was not expended by that State.

1.2 COSTS FOR GOVERNMENT IMPLEMENTATION

There will be no major financial implications resulting from the Bill.

1.3 CONSISTENCY WITH FUNDAMENTAL LEGISLATIVE PRINCIPLES

The Bill is consistent with fundamental legislative principles

1.4 CONSULTATION

Consultation has occurred with the Departments of Premier and Cabinet, Office of Rural Communities, Primary Industries, and Employment, Training and Industrial Relations.

2. ANALYSIS OF THE BILL

Clause 1 states that the short title is to be the *New South Wales-Queensland Border Rivers Amendment Act 2001*.

*New South Wales—Queensland Border Rivers
Amendment Bill 2001*

Clause 2 provides that the amendments are to the *New South Wales-Queensland Border Rivers Act 1946*..

Clause 3 amends section 4 by:-
Omitting the heading “Interpretation” and inserting “Definitions”

- Inserting a new definition for the terms “agreement” and “third amending agreement”
- *Clause 4* inserts the “third amending agreement” in section 5 of the Act under the heading “Ratification of agreements”
- *Clause 5* inserts a new title for schedule 2.

Clause 6 inserts a new title for schedule 3.

Clause 7 inserts a new schedule 4 after schedule 3

The Schedule to the Act amends the Act in line with current drafting practice. The amendments give a part number to headings in the Act and replace, in section 22, the reference to the 'Governor' with a reference to the 'Governor in Council'. It also changes the heading after section 21, from “Regulations made by Governor” to “Part 6 – Regulations by Governor in Council”. It changes the heading in section 22 to “Regulation-making power”. It also changes the heading after section 22 to “Part 7- Miscellaneous Provisions”. It omits the heading after section 23.