

332

No. , 1915.

A BILL

To provide for the maintenance, control, and administration of works of water supply for the towns of Grafton and South Grafton, and for the repayment of the costs thereof; and for purposes consequent thereon and incidental thereto.

WHEREAS certain works of water supply have been constructed by the Government for the benefit of the towns of Grafton and South Grafton: And whereas it is expedient to provide for the administration and management thereof, and for the repayment of the cost of such works: Be it therefore 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 :—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Grafton and South Grafton Water Supply Administration Act, 1915," and is divided into parts as follows :—

PART I.—PRELIMINARY—*ss.*

PART II.—CONSTITUTION OF BOARD, ELECTIONS, &C.—*ss.*

PART III.—CONTROL OF WORKS—*ss.*

PART IV.—FINANCIAL—*ss.*

PART V.—MISCELLANEOUS—*ss.*

2. In this Act—

"Board" means the Grafton and South Grafton Water Board as constituted by this Act.

"Capital cost" means the cost of constructing the works referred to in this Act, as set out in section of this Act.

"Minister" means the Minister for Public Works.

"Part" means part of this Act.

"Prescribed" means prescribed by this Act or by by-laws or regulations made hereunder.

"Works" means works of water supply carried out under the Grafton and South Grafton Water Supply Act, 19 , and includes any extension of such works or any additional works which may be hereafter constructed for the purpose of the supply of water to the towns of Grafton and South Grafton, or either of them.

PART II.

CONSTITUTION OF BOARD, ELECTIONS, &C.

3. There shall be a board to be known as the "Grafton and South Grafton Water Board," which shall be a body corporate having perpetual succession and a common seal, and which shall consist of six persons, of whom three shall be aldermen of the municipality of Grafton, and three shall be aldermen of the municipality of South Grafton.

4. (1) The mayor of the municipality of Grafton shall be a member of the board by virtue of his office.

(2) The remaining members shall be elected by the council of the municipality which they are to represent.

5. The mayor of the municipality of Grafton shall be chairman of the board, and in his absence the members present at a meeting of the board shall appoint one of their number to be chairman of the meeting.

6. (1) The first election of members of the board shall take place on a date to be fixed by the Director-General of Public Works.

(2) Subsequent elections shall take place within fourteen days after the annual election of mayors of the respective municipalities of Grafton and South Grafton.

(3) At such elections the persons acting for the time being as clerks to the said municipalities respectively shall act as returning officers.

7. Members of the board, including the mayor of Grafton, shall hold office until the election of the new members of the board.

8. (1) A member of the board may resign his office, and any member ceasing to be an alderman of the municipality which he represents on the board shall at the same time (subject to the provisions of section seven) cease to be a member of the board.

(2) Provided that the mayor of the municipality of Grafton shall not whilst he continues to hold that office resign his seat on the board.

9. The mode of election of members of the board shall be as prescribed.

10.

10. At any meeting of the board five members shall form a quorum.

11. The board shall meet at such times as shall be decided by the board, but not less than once every month.

12. Where the voting on any question at a meeting of the board is equal, the chairman shall have a casting vote.

13. The provisions of sections thirty-seven, thirty-nine, and forty-one of the Local Government Act, 1906, or the corresponding provisions of any Act consolidating or amending the same, shall, with the necessary modifications, apply to elections of members of the board.

14. (1) Should the board make default in payment of any sum of money payable by it under the provisions of this Act, the Governor may by proclamation in the Gazette dismiss the members of the board and direct a fresh election of members to be held, or may in his discretion, in lieu of directing a fresh election, appoint a manager of the affairs of the board, who shall have and be subject to all the powers, duties, and obligations of the board.

(2) Such manager shall act in the name of the board, and shall use its common seal.

15. Should the board fail to impose a water rate for any year, the manager appointed by the Governor as hereinbefore provided may recover for such last-mentioned year from the persons who would have been liable to be rated for such year rates equal to those last imposed by the board.



PART III.

CONTROL OF WORKS.

16. (1) The administration, control, and management of the works shall be vested in the board, which shall for that purpose have all the powers and authorities vested in and be subject to the duties and obligations imposed on a council having the administration and management of works of water supply under the Country Towns Water and Sewerage Acts, 1880-1905.

(2) Subject to the provisions of this Act the board shall, for the purposes of exercising and discharging such powers and authorities, duties and obligations, be deemed to be in the position of the council of a municipality composed of the combined areas of the said municipalities of Grafton and South Grafton, and the provisions of such Acts shall, unless inconsistent with this Act, apply to the board and to the works.

(3) No discrimination shall be made between the said municipalities in regard to the water rates or charges to be levied or imposed by the board.

(4) In levying water rates the board shall adopt the valuations of the councils of the said municipalities for the time being in force within their respective areas.

PART IV.

FINANCIAL.

17. The capital cost of the works is the sum of but may be added to from time to time in respect of the cost of any additional works which may be carried out by the Governor at the request and for the benefit of either or both of the said municipalities.

18. The period within which the capital cost shall be repaid by the board shall be fifty years.

19. The capital cost shall be a debt charged upon the revenues, from whatever source derived, of the board and of the municipalities of Grafton and South Grafton.

20.

20. The cost of carrying out any additional works shall be notified by the Governor in accordance with the provisions of the Country Towns Water and Sewerage Acts, 1880-1905, and the Governor shall by the same or another notification notify the total amount of the capital debt after the addition of the cost of such additional works.

PART V.

MISCELLANEOUS.

21. The Governor may make by-laws for carrying out the purposes of this Act, and in particular for—

- (a) regulating the method of electing members of the board ;
- (b) regulating the proceedings at meetings of the board.
