

HUNTER DISTRICT WATER
AND SEWERAGE (AMENDMENT)
ACT.

Act No. 44, 1928.

An Act to declare the capital indebtedness of the Hunter District Water Supply and Sewerage Board; to provide for the payment out of the revenues of such Board of certain charges; to provide for the opening of a special deposits account in the Treasury; to extend the operation of certain by-laws and to validate certain rates; to amend the Hunter District Water and Sewerage Acts, 1892-1924, and certain other Acts; and for purposes connected therewith. [Assented to, 29th December, 1928.]

George V,
No. 44, 1928.

BE it 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:—

1. (1) This Act may be cited as the "Hunter District Water and Sewerage (Amendment) Act, 1928." Short title.

(2) This Act shall be deemed to have commenced on the first day of July, one thousand nine hundred and twenty-eight, except as elsewhere provided in this Act.

(3) In this Act the Hunter District Water Supply and Sewerage Act, 1892, as amended by subsequent Acts, is referred to as the Principal Act.

(4) The Principal Act, as amended by this Act, may be cited as the "Hunter District Water and Sewerage Act, 1892-1928."

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Amendment of
Act 55 Vic.
No. 27.

Sec. 6.

Sec. 15.

Expenses of
elections.

Sec. 133c.

Special
deposits
account.Fixation of
capital debt.**2. The Principal Act is amended—**

(a) by omitting from section six the word “ seven ” and by inserting in lieu thereof the word “ nine ”;

(b) by omitting section fifteen and by inserting in lieu thereof the following section :—

15. All expenses incurred in the conduct of any such election shall be a charge against the board's revenue.

(c) by omitting section 133c and by inserting in lieu thereof the following section :—

133c (1) All revenue of the board as from the first day of July, one thousand nine hundred and twenty-eight, shall be paid into a special deposits account to be opened in the Treasury to be called the “ Hunter District Water Supply and Sewerage Board Account.”

(2) There shall be paid out of such account all expenditure in connection with the operation, maintenance, and management of the services under the control of the board.

3. (1) The capital indebtedness of the board to the State as at the thirtieth day of June, one thousand nine hundred and twenty-eight, is hereby declared to be the sum of three millions three hundred and sixty thousand nine hundred and eleven pounds, being the aggregate of the debts in respect of the following several services, namely :—

Water supply	£2,514,483
Sewerage	£661,888
Stormwater drainage ...	£184,540

Such capital debt may be added to as provided in subsection two of this section.

(2) The Treasurer shall, as soon as practicable after the commencement of the financial year commencing the first day of July, one thousand nine hundred and twenty-nine, and of each succeeding financial year, certify the amount expended by or for the board on works of water supply, sewerage, or stormwater

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stormwater drainage during the preceding financial year, and such amount shall be added to the capital indebtedness of the board.

4. The board shall pay interest to the Treasurer at Interest. such times as he may direct upon its capital indebtedness at the current rate payable by the Government for loan moneys :

Provided that interest on capital expenditure during any financial year shall be calculated and charged for a period of six months only on the total amount expended in that year :

Provided also that interest paid or accrued on any moneys expended on any work or in relation thereto during its construction and properly chargeable as capital expenditure may be treated as part of the capital cost and added to the capital indebtedness of the board.

5. (1) The Hunter District Water and Sewerage Amendment of Act No. 14, 1897, Act, 1897, is amended by omitting s. 14. section fourteen and by inserting in lieu thereof the following section :—

14. In the financial year commencing on the Water and sewerage rates. first day of July, one thousand nine hundred and twenty-eight, and in each subsequent financial year, the board shall levy and collect such rates, charges, and sums of money as shall be estimated to be sufficient to cover in respect of each separate service the sum required for that year for carrying out the provisions of the Hunter District Water and Sewerage Act, 1892-1928, including the payment of the salaries and remuneration of the president, vice-president, and other members of the board :

Provided that, as from the first day of July, one thousand nine hundred and twenty-nine, the deficit or surplus on the preceding year's operations shall be brought forward and added to or deducted from the estimated sum required for maintaining such service for the next following year.

(2) The Hunter District Water and Sewerage Amendment of Act No. 6, 1924, s. 14. (Amendment) Act, 1924, is amended by omitting subsection four of section fourteen.

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Board's
annual
estimate.

6. In each financial year commencing from the first day of July, one thousand nine hundred and twenty-eight, the sum in respect of each service, which shall be sufficient to discharge the board's obligation to the Treasury for that year, shall include—

- (a) the amounts to be advanced by the Treasury to the board during that year to meet the board's management and working expenses;
- (b) interest as provided for in section four of this Act;
- (c) the instalment for that year to the Sinking Fund referred to in section eight of this Act.

Advances to
board.

7. The Treasurer may advance such moneys to the board as the Governor may approve, upon such terms and conditions as may be agreed upon.

Sinking
Fund.

8. In the financial year commencing on the first day of July, one thousand nine hundred and twenty-eight, and in each subsequent financial year, the board shall pay to the Treasurer at such times as he may direct an amount equal to five shillings for every one hundred pounds of the portion of the loan indebtedness of the State for the time being which is attributable to the capital indebtedness of the board to the State:

Provided that the board shall, in like manner, pay such further sums as the Governor may from time to time direct in relief of any obligation of the State in respect of Sinking Fund payments for the extinguishment of the Public Debt.

The amounts paid shall be applied by the Treasurer in manner allowed by law.

Extension of
operation of
by-laws.

9. Notwithstanding anything contained in the Principal Act—

- (a) the operation of the Water and Sewerage Financial By-laws published in Gazette number sixty-six of the eighteenth day of May, one thousand nine hundred and twenty-eight, is hereby extended to the thirtieth day of June, one thousand nine hundred and twenty-nine;

(b)

- (b) any rate, charge, or sum of money levied and collected in accordance with the Water and Sewerage Financial By-laws published in Gazette number one hundred and twenty-four of the twenty-sixth day of September, one thousand nine hundred and twenty-four, shall be deemed to have been validly levied and collected, and may be recovered by the board as a debt in any court of competent jurisdiction.
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