

**MANNING DISTRICT WATER SUPPLY ACT.**

**New South Wales**



ANNO OCTAVO DECIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 21, 1969.**

An Act to transfer to the Manning River County Council the works of water supply administered and managed by the Taree-Wingham Water Supply Board of Management; to dissolve the Taree-Wingham Water Supply Board of Management; to repeal the Taree-Wingham Water Supply Administration Act, 1929-1954; to validate certain matters; and for purposes connected therewith. [Assented to, 2nd April, 1969.]

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**B**E it enacted by the Queen'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 :—

Short title and commencement.

1. (1) This Act may be cited as the "Manning District Water Supply Act, 1969".

(2) This Act shall be deemed to have commenced on the first day of January, one thousand nine hundred and sixty-eight.

Repeals and savings.

2. (1) The Acts enumerated in the Schedule to this Act are to the extent therein specified hereby repealed.

(2) As on and from the commencement of this Act a reference express or implied to the Board in any Act, regulation, by-law or other instrument whatsoever shall be read and construed as a reference to the Council.

Definitions.

3. In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

"Board" means the Board of Management constituted by an Agreement made on the tenth day of October, one thousand nine hundred and twenty-eight, between the Councils of the Municipalities of Taree and Wingham and the Minister for Public Works in and for the State of New South Wales and contained in the First Schedule to the Taree-Wingham Water Supply Administration Act, 1929-1954.

"Council" means the Manning River County Council.

"the works" shall mean the works referred to in Clause 3 of the Agreement made on the tenth day of October, one thousand nine hundred and twenty-eight, between the Councils of the Municipalities of Taree and Wingham and the Minister for Public Works  
and

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and contained in the First Schedule to the Taree-<sup>No. 21, 1969</sup> Wingham Water Supply Administration Act, 1929-1954, and the works referred to in Clause 3 (2) of the Agreement made on the fifteenth day of May, one thousand nine hundred and fifty-three, between the aforesaid Councils and the Minister for Public Works and contained in the Second Schedule to the Taree-Wingham Water Supply Administration Act, 1929-1954.

4. (1) The Board is hereby dissolved.

Dissolution  
of Board  
and transfer  
of the  
works to  
the Council.

(2) All administration, control, operation and management of the works exercisable by the Board immediately before the commencement of this Act under the Taree-Wingham Water Supply Administration Act, 1929-1954, shall, subject to the provisions of this Act, be exercisable by the Council.

(3) The provisions of the Local Government Act, 1919, as subsequently amended, shall apply to the works and to the Council in respect of the works.

(4) All real and personal property, including all books and documents and all right and interest therein, which immediately before the commencement of this Act were vested in or belonged to the Board shall vest in and belong to the Council.

(5) All rates, charges, moneys, and liquidated and unliquidated claims which immediately before the commencement of this Act were payable to or recoverable by the Board shall respectively be rates, charges, moneys, and liquidated and unliquidated claims payable to or recoverable by the Council.

(6) Rates and charges made and levied by the Board and unpaid at the commencement of this Act may be increased by the Council in the same manner as the Board might have done but for this Act.

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(7) All suits, actions and proceedings pending immediately before the commencement of this Act at the suit of the Board shall respectively be suits, actions and proceedings at the suit of the Council.

(8) All contracts, agreements and undertakings entered into with and all securities lawfully given to or by the Board and in force immediately before the commencement of this Act shall respectively be deemed to be contracts, agreements and undertakings entered into with and securities given to or by the Council.

(9) The Council may pursue the same remedies for the recovery of any such rates, charges, moneys and claims and for the prosecution of such suits, actions and proceedings as the Board might have done but for this Act.

(10) The Council may enforce and realise any security or charge existing immediately before the commencement of this Act in favour of the Board in respect of any such rates, charges, moneys and claims as if such security or charge were existing in favour of the Council.

(11) All debts due and moneys payable by the Board and all claims, liquidated or unliquidated, recoverable against the Board shall be debts due, moneys payable by and claims recoverable against the Council.

(12) All liquidated and unliquidated claims in connection with the works for which the Board would, but for this Act, have been liable shall be liquidated and unliquidated claims for which the Council shall be liable.

(13) No attornment by a lessee of any land vested in the Council by this section shall be necessary.

Transfer  
of service.

5. All persons who immediately before the commencement of this Act were servants of the Board are hereby transferred to the service of the Council.

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The provisions of paragraph (m) of subsection one of No. 21, 1969 section 564B of the Local Government Act, 1919, as subsequently amended, shall apply, mutatis mutandis, to and in respect of the transfer of any person from the service of the Board to the service of the Council under this section and for the purposes of the said paragraph service with the Board shall be deemed to have been service with a council.

SCHEDULE.

Sec. 2.

No. of Act	Title of Act	Extent of Repeal
Act No. 44, 1929	Taree-Wingham Water Supply Administration Act, 1929.	The whole.
Act No. 10, 1954	Taree-Wingham Water Supply Administration (Amendment) Act, 1954.	The whole.