

# Murray-Darling Basin (Amendment) Bill (No. 2)

## EXPLANATORY MEMORANDUM

*Clause 1* states the purpose of the Act.

*Clause 2* provides for the commencement of the Act.

*Clause 3* provides that the **Murray-Darling Basin Act 1982** is to be called the Principal Act.

*Clause 4* provides for the approval of the amending agreement.

*Clause 5* provides for the definition of “Agreement” in section 3 of the Principal Act to be replaced by “as amended by the agreements set out in Schedules 2 and 3”.

*Clause 6* provides for the insertion of a Schedule in the Principal Act. It will be titled Schedule 3 of the Act and contains the Murray-Darling Basin Further Agreement.

### SCHEDULE 3

#### MURRAY-DARLING BASIN FURTHER AGREEMENT

*Clause 1* provides that unless the contrary intention appears, expressions used in this Agreement have the same meanings as they have in the Principal Agreement.

*Clause 2* (1) provides that this Agreement is subject to approval by the Parliaments of the Commonwealth and States who are party to the Agreement, and comes into effect when such approval is given;

(2) provides that the parties will submit this Agreement to their respective Parliaments as soon as practicable after the Agreement is made; and

(3) provides that further approval of the Parliaments is not required if another State becomes party to the Agreement.

*Clause 3* provides for the insertion of a new clause 7<sup>EA</sup> in the Principal Agreement. The new clause provides for—

(1) the Ministerial Council to make out-of-session decisions in accordance with the clause;

(2) a proposed resolution to be approved by a Minister if the proposed resolution (in writing) is sent to the Minister or a Minister nominated by him or her by facsimile or other transmission and the Minister’s approval in writing is sent by facsimile or other transmission;

(3) the resolution approved under sub-clause (2) to be deemed to be a decision of the Ministerial Council;

(4) a decision made under this clause to be recorded by an officer of the Commission and a copy of the decision sent to the Ministers within 21 days;

(5) the record to be confirmed at the next Ministerial Council meeting.

