

## WATER BOARDS.

2° Elizabeth II., No. XXXII.

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No. 32 of 1953.

**AN ACT to amend the Water Boards Act, 1904-1951.**

[Assented to 18th December, 1953.]

**BE** it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. (1) This Act may be cited as the *Water Boards Act Amendment Act, 1953*.

Reprinted as  
approved  
23rd February  
1951, in Vol.  
5 of the  
Reprinted  
Acts, 1952.

(2) In this Act the Water Boards Act, 1904-1951, Act No. 4 of 1904 as reprinted with amendments to and including Act No. 10 of 1949 incorporated pursuant to the Amendments Incorporation Act, 1938, and as further amended by Act No. 41 of 1951,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the *Water Boards Act, 1904-1953*.

S. 2  
amended.

2. Section two of the principal Act is amended by adding after the numerals, "76" in line twelve the letter, "C".

Ss. 76A, 76B  
and 76C  
added.

3. The principal Act is amended by adding after the heading, "The Rate Book" and before section seventy-seven the following sections:—

Interpre-  
tation.

76A. In this Part—

"rating year" where used in relation to a Water Board means the period of twelve months appointed by the Minister under section seventy-six B of this Act as the rating year for the Water Board.

76B. The Minister is authorised, and is regarded as always having been authorised—

Authority for Minister to appoint rating years. Cf. 26 of 1908, as amended, s. 58.

- (a) to appoint a period of any twelve consecutive months as the rating year for a Water Board or a class of Water Board;
- (b) to appoint different rating years for different Water Boards; and
- (c) from time to time to alter the rating year appointed for a Water Board, from one period of twelve consecutive months to another.

76C. Where after an alteration in the rating year of a Water Board, or the constitution of a Water Board for a newly-constituted Water Area, the making and levying, or adjusting, as the case requires, of a water rate for part only of a rating year becomes necessary, the Water Board may make and levy, or adjust, as the case requires, as the rate for that part, such proportion of the rate for the whole of the rating year as does not exceed the ratio which the number of days in the part of the rating year bears to the number of days in the whole of the rating year.

Adjustment of rate on alteration of rating year.

4. Section seventy-nine of the principal Act is amended by adding before the word, "year" in line two the word, "rating".

S. 79 amended.

5. Section eighty-three of the principal Act is repealed and re-enacted as follows:—

S. 83 repealed and re-enacted.

83. Where a Water Board has made up the rate book for the Water Board's rating year, the net annual value of land from the beginning of the rating year is that shown in the rate book unless during the rating year the value so shown is altered on appeal mentioned in section eighty-seven, or on re-assessment under section ninety-three A of this Act and where that value has been so altered, the net annual value of the land for the rating year is that as so altered.

S. 92A  
amended.

6. Subsection (3) of section ninety-two A of the principal Act is amended by adding before the word, "year" where it appears in line one and again in line two the word, "rating".

S. 93  
amended.

7. Section ninety-three of the principal Act is amended by adding before the word, "year" in line one the word, "rating".

S. 93A  
added.

8. The principal Act is amended by adding after section ninety-three the following section:—

Cf. No. 62 of  
1947, s. 69.

93A. (1) Where a Water Board has made up the rate book for the rating year and it appears to the Water Board

(a) that because of improvements made to or erected upon land, the net annual value of the land for the rating year has become greater than that shown in the rate book; or

(b) that because of the destruction, damage, or demolition, of improvements previously standing upon the land, the net annual value of the land for the rating year has become less than that shown in the rate book;

the Water Board may, during the rating year, cause the net annual value to be re-assessed in respect of the unexpired portion of the rating year, and increase or reduce, as the case requires, the amount payable as rates in respect of the land to the extent to which the re-assessment of the net annual value justifies the increase or reduction.

(2) Where the net annual value shown in the rate book is altered under subsection (1) of this section so as to exceed the current valuation of the same land by the Local Authority, the alteration is one in respect of which an appeal may be made under section eighty-seven of this Act.

S. 100  
repealed.  
Cf. No. 38 of  
1936.

9. Section one hundred of the principal Act is repealed.

10. Section one hundred and one of the principal Act is repealed.

S. 101  
repealed.  
Cf. No. 38 of  
1936.

11. Section one hundred and two of the principal Act is amended by deleting the words in lines one, two and three commencing with the word, "Instead" and ending with the words, "premises,".

S. 102  
amended.

12. Section one hundred and forty-one of the principal Act is amended by adding after the word, "of" in line two of paragraph (2) the words, ", and the granting of long service leave to,".

S. 141  
amended.

13. Section one hundred and forty-three of the principal Act is repealed.

S. 143  
repealed.  
Cf. No. 30 of  
1918, as  
amended,  
ss. 36 and 38.

14. The Fifth and Sixth Schedules of the principal Act are repealed.

Fifth and  
Sixth  
Schedules  
repealed.

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