

RIGHTS IN WATER AND IRRIGATION.

No. 46 of 1971.

AN ACT to amend the Rights in Water and
Irrigation Act, 1914-1964.

[Assented to 10th December, 1971.]

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:—

1. (1) This Act may be cited as the *Rights in Water and Irrigation Act Amendment Act, 1971*.

Short title
and
citation.

(2) In this Act the Rights in Water and Irrigation Act, 1914-1964 is referred to as the principal Act.

Vol. 15
of the
Reprinted
Acts.

(3) The principal Act as amended by this Act may be cited as the Rights in Water and Irrigation Act, 1914-1971.

Approved
for reprint
6th Septem-
ber, 1960
and further
amended by
Acts Nos. 70
of 1962 and
31 of 1964

Amendment
to s. 13.
(Minister
entitled to
institute
proceed-
ings.)

2. Section 13 of the principal Act is amended by substituting for the words "or marsh"—

(a) in line nine of subsection (1); and

(b) in line nine of subsection (2),

the passage ", marsh or subterranean water source".

Amendment
to s. 18.
(Certain
wells to be
subject of
license.)

3. Section 18 of the principal Act is amended—

(a) by deleting the words "lying north of the twenty-sixth parallel of south latitude", in lines two and three of subsection (1); and

(b) by adding after subsection (1) a subsection as follows—

(1a) Section thirty-six of the Interpretation Act, 1918, applies to any proclamation made under subsection (1) of this section as though the proclamation were a regulation. .

Repeal and
re-enact-
ment of
s. 19.

4. Section 19 of the principal Act is repealed and re-enacted as follows—

Information
on non-
artesian
wells.

19. (1) The owner or occupier of land shall, within one month after completing the construction of or the deepening of any non-artesian well on the land, furnish, in the prescribed form, to the Minister or to such other person as the Minister may direct such information in respect of the well as is prescribed.

Penalty: Two hundred dollars.

(2) The Minister may, by notice published in the *Government Gazette*, exempt the owners or occupiers of land in any part of the State from the requirement of complying with the provisions of subsection (1) of this section and may, by subsequent notice so published, vary or cancel any such notice. .

1971.] *Rights in Water and Irrigation.* [No. 46.

5. Subsection (5) of section 20 of the principal Act is amended—

Amendment
to s. 20.
(Applica-
tions for
and issue
of licenses.)

- (a) by deleting the words “person or”, in line four; and
- (b) by adding after the word “appoint”, in line five, the passage “including at least one person nominated by the person aggrieved,”.

6. Subsection (1) of section 65 of the principal Act is amended by adding after the word “department”, in line two, the words “or any other department of the State”.

Amendment
to s. 65.
(Delegation
of powers.)
