

1989

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN
CAPITAL TERRITORY

ELECTRICITY AND WATER (AMENDMENT) BILL (NO. 2) 1989

EXPLANATORY MEMORANDUM

Circulated by the authority of Mr Prowse

The Electricity and Water Act 1988 (the Principal Act) provides for the establishment of the Australian Capital Territory Electricity and Water Authority (the Authority), a function of which is to treat the water supply for the Australian Capital Territory.

The Electricity and Water (Amendment) Act (No. 2) 1989 amends the Principal Act to prohibit any person from adding a chemical to the water supply. Certain exemptions apply in the case of the Authority. The main thrust of the amendment is to prohibit the Authority from adding fluoride to the water supply for 6 years from the date the amendment commences. After that time fluoride may only be added if its addition obtains majority approval in a referendum.

The purposes and detail of the Act appear in the attachment.

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Mr Prowse

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ATTACHMENT

Section 1 cites the short title of the Act.

Section 2 provides that the Principal Act referred to is the Electricity and Water Act 1988.

Section 3 inserts a new Part VIIIA in the Principal Act which contains sections 74A to 74F, inclusive.

Section 74A defines terms used in the new Part.

Section 74B creates an offence where chemicals are added to the water supply system.

Section 74C ensures that the Authority cannot avoid the operation of section 74B by reference to its powers which are enumerated in section 6, in particular the power to treat water.

Section 74D exempts the Authority from the operation of section 74B with respect to the addition of chemicals which clarify or purify the water supply or, in certain circumstances, fluoride. The addition of these chemicals may only be at a concentration which is not harmful to the community generally.

Section 74E provides that fluoride may only be added to the water supply if its addition is approved by a majority of electors in a referendum.

Section 74F provides that the Minister may arrange for the conduct of such a referendum to be held not earlier than 6 years after the commencement of the new Part. It also provides for the conduct of the referendum to be as prescribed by the Principal Act or the regulations.

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