

2008

THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

Water Resources (Validation of Fees) Bill 2008

Explanatory Statement

Circulated by authority of
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Minister for the Environment, Water and Climate Change

OVERVIEW

The Water Resources (Validation of Fees) Bill 2008 (the Bill) validates fees charged for water-related licences and fees under the *Water Resources Act 1998* (the former Act) from 1 July 2007 until 31 July 2007.

Between 1 July 2006 and 30 June 2007 fees under the former Act were set by the *Water Resources (Fees) Determination 2006 (No 1)* (DI2006-138). However between 1 July 2007 and 31 July 2007 no valid fee determination operated under the former Act in the transition to the new *Water Resources Act 2007* (the new Act), which repealed and replaced the former Act on 1 August 2007. A new fee determination, made under the new Act, took effect from 1 August 2007. The resulting one month gap between valid fee determinations led to the collection of approximately \$1,700,000.00 in licence fees (substantially water abstraction charges collected from ACTEW) without proper authority.

The fees thus validated by this Bill do not differ from the fees set for financial year 2006-07 by DI2006-138.

CLAUSES 1, 2 AND 3: FORMAL CLAUSES

Clauses 1 – 3 are formal clauses which:

- state the name of the Act being created;
- provide for commencement of the Act; and
- explain the role of notes in the Act.

CLAUSE 4: VALIDATION OF FEES

Clause 4 extends the operation of the *Water Resources (Fees) Determination 2006 No 1* (DI2006-138) to cover the period between 1 July 2007 and 31 July 2007 in order to validate the licence fees that have been charged under the former Act for that period.

CLAUSE 5: EXPIRY

Clause 5 provides for the expiry of the Act on the day after notification.