

1999

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

WATER RESOURCES AMENDMENT BILL 1999

EXPLANATORY MEMORANDUM

Circulated by authority of

**Brendan Smyth MLA
Minister for Urban Services**

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Outline

The Water Resources Amendment Bill provides for the payment of periodic fees, which are determined under *Water Resources Act 1998*, in a manner and at a time specified by the Minister by notice in the Gazette, rather than within 28 days after the end of the financial year to which they relate. No new fees are proposed by this Bill.

1 Formal requirements

Clauses 1, 2 and 3 of the Act are formal requirements specifying the name of the Act, commencement arrangements and the Act amended.

2 Clause 4

This clause replaces the existing section in the *Water Resources Act 1998* governing when annual fees are to be paid. It changes the requirement that fees be paid within 28 days of the end of the financial year to which they relate to a requirement that the fees be paid in accordance with the arrangements specified in the relevant fee determination.

3 Clause 5

The effect of this clause is to include in the fee determination provision, a requirement that a determination for a periodic fee payable under section 71 specify the period to which the fee relates and how and when fees are to be paid. The fee determination remains a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*. This clause also makes it clear that a fee may be a tax.