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RIGHTS IN WATER AND IRRIGATION ACT 1914-1981.

CARNARVON IRRIGATION DISTRICT AMENDMENT BY-LAWS 1983.

MADE by the Minister for Water Resources acting as the Irrigation Board for the Carnarvon Irrigation District and approved by His Excellency the Governor in Executive Council.

1. These regulations may be cited as the Carnarvon Irrigation District Amendment By-laws 1983. Citation.
2. These by-laws shall take effect on and from 1 October 1983. Commencement.
3. In these by-laws the Carnarvon Irrigation District By-laws*, as amended are referred to as the principal by-laws. Principal by-laws.
4. By-law 2 of the principal by-laws is repealed. By-law 2 repealed.
5. By-law 3 of the principal by-laws is amended by inserting after the definition of "property" the following definitions— By-law 3 amended.

" "rating year" means a period of 12 months appointed by the Minister as a rating year for the purposes of the District;

"Schedule" means the Schedule to these by-laws; "
6. By-laws 13, 14 and 15 of the principal by-laws are repealed. By-laws 13, 14 and 15 repealed.
7. By-law 16 of the principal by-laws is repealed and the following by-law is substituted— By-law 16 repealed and substituted.

" Occupier's distributing system.

16. (1) The occupier of each property to be watered shall provide and maintain efficient head ditches or pipelines to the satisfaction of the Minister, and shall make all arrangements for the distribution and retention of water on his land.

* Published in the *Government Gazette* on 2 July 1962 at pp. 1695-1698.

(2) If requested to do so by the Minister, the occupier shall provide and maintain a non-return valve on the pipeline to prevent backflow into the main supply of water for irrigation.

(3) A non-return valve referred to in sub-by-law (2) of this by-law shall be of a type, and installed at a location, approved by the Minister.

(4) The Minister may refuse to supply water to a property if the occupier fails to provide and maintain the facilities specified in this by-law.

By-laws 18,
19, 20 and 21
repealed and
substituted.

8. By-laws 18, 19, 20 and 21 of the principal by-laws are repealed and the following by-laws are substituted—

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Meters.

18. (1) The Minister may install a meter to measure the amount of water taken by a ratepayer.

(2) The occupier of premises where a meter is installed shall provide and maintain a clear space not less than one metre horizontally and 2 metres vertically from the meter and ensure easy access for the Minister's employees at all times.

(3) A person, other than an officer of the Minister, who—

- (a) breaks or in any way interferes with the seal fixed on the meter through which water is supplied by the Minister;
- (b) turns or attempts to turn any screw, bolt or nut on or attached to such meter;
- (c) uses any tool or appliance on any such meter;
- (d) introduces or attempts to introduce any body or substance into such meter;
- (e) in any way interferes with any portion of such meter or any pipes or fittings attached thereto,

commits an offence.

(4) Any owner or occupier supplied with water through a meter belonging to the Minister shall, on finding that meter is damaged or not registering, immediately give notice of the fact to the Carnarvon District Office of the Minister.

(5) All repairs required to damaged meters shall be carried out by officers of the Minister.

(6) An owner or occupier of land supplied with water through a meter belonging to the Minister shall, if requested, pay the cost of replacement or making good any damage to such meter whilst on his land or in his charge.

Testing of meters.

19. (1) The Minister may at any time cause a test of a meter to be made.

(2) The Minister shall cause a test of a meter to be made if, within 7 days of receiving advice of a meter reading with which he is dissatisfied, the person who will be liable to pay for the water requests in writing that that meter be tested.

(3) Where a person requests that a meter be tested under sub-by-law (2) of this by-law, and where upon being so tested the meter is found to register not more than the quantity of water actually passed through it, the person upon whose request the meter test was made shall pay to the Minister—

- (a) the minimum charge prescribed in item 2 of the Schedule for the testing of that meter; or
- (b) such greater amount as in the opinion of the Minister approximates the actual cost of testing the meter, as the Minister may in each case specify.

Meter out of order.

20. (1) A meter shall be deemed not to be in proper order if—

- (a) on being tested or otherwise, the meter is found not to register within the limits of error prescribed in sub-by-law (2) of this by-law;
- (b) the meter is found by an officer of the Minister to be so damaged or otherwise in such condition that, in the opinion of that officer, the meter is likely to inaccurately show the quantity of water passing through it; or
- (c) the register of the meter is found to be unreadable.

(2) For the purposes of these by-laws, the limits of error prescribed are plus or minus 2 per cent.

(3) Where a meter through which water is supplied is found not to be in proper order the quantity of water supplied to the property through the meter may be assessed by either—

- (a) taking a daily average of the quantity of water actually used during the monthly consumption period either following or preceding the monthly period in which the meter was found to be out of order; or
- (b) testing the meter and, where the meter is found not to register within the limits of error prescribed in sub-by-law (2) of this by-law, adjusting the consumption registered for the period during which the meter was not in proper order according to the degree of error found,

as the Minister sees fit.

(4) The quantity of water computed in accordance with sub-by-law (3) of this by-law shall be included in the owner or occupier's consumption for the purposes of by-laws 13, 17 and 24 of these by-laws.

Water for household purposes.

21. The supply by the Minister of water for irrigation and other purposes shall not be deemed to imply that the water is of potable quality or free from noxious germs or other matter dangerous or injurious to health. ”.

9. Division IV of the principal by-laws is repealed and the following division is substituted—

Division IV
repealed and
substituted.

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DIVISION IV—Rates and Charges.

Payment of irrigation rate.

22. Irrigation rates are payable by an occupier of rateable land within one month of the publication in the *Government Gazette* and in a newspaper usually circulating in the district of the order making and levying the irrigation rates in respect of that district.

Entitlement to water.

23. (1) Subject to the Act and to these by-laws, every ratepayer is entitled to a supply of water at a rate of 750 cubic metres per 28 day period.

(2) A ratepayer is not entitled to a supply of water under sub-by-law (1) of this by-law unless he has paid the irrigation rates liable to be paid in respect of his land.

(3) The Minister may refuse to supply water to any land in respect of which irrigation rates remain unpaid.

Water in excess of rate entitlement.

24. (1) The Minister may, by notice posted or delivered from time to time to a ratepayer, direct the amount of water in excess of that to which he is entitled under by-law 23 of these by-laws that, subject to the payment by a ratepayer of charges due, may be taken by the ratepayer from the works constructed and maintained by the Minister.

(2) Subject to the payment of any charges due, a ratepayer who receives a notice posted or delivered under sub-by-law (1) of this by-law is authorized to take the amount of water specified in the notice during the period of time specified in the notice.

(3) A ratepayer who takes water in excess of the quantity he has been authorized to take under this by-law during the time specified in the notice referred to in sub-by-law (1) commits an offence.

(4) The Minister may refuse to supply a ratepayer convicted of an offence under this by-law with any further water in excess of that to which he is entitled under section 41 of the Act, or such lesser quantity as the Minister shall have determined under section 43 of the Act.

Charges for water.

25. (1) The charge for water supplied to a ratepayer for irrigation whether that water was a part of, or in excess of his entitlement as specified in by-law 23, shall be that prescribed in item 1 of the Schedule.

(2) The Minister may refuse to supply water to any property where charges for water supplied to a ratepayer on that property remain unpaid.

Water for land outside the District for irrigation purposes.

26. Where surplus water is available, the Minister may supply water to persons who desire to irrigate land outside the District on such terms as may be determined by the Minister. ”.

Schedule
added.10. The principal by-laws are amended by adding the following
Schedule—

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SCHEDULE.

CHARGES.

Item 1 Charge for water (by-law 25)

The price of water supplied to a ratepayer for irrigation whether that water was part of or in excess of his entitlement	\$66 (per thousand cubic metres)
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Item 2 Minimum charge for testing a meter (by-law
19)

(i) 20-25 mm meter	\$30
(ii) 40-50 mm meter	\$45
(iii) 75 mm and over meter	\$80 ”.

Dated this 30th day of September, 1983.

A. TONKIN,
Minister for Water Resources.Approved by His Excellency the Governor in Executive Council this 30th day of
September, 1983.G. PEARCE,
Clerk of the Council.

STATE ENERGY COMMISSION ACT 1979.

STATE ENERGY COMMISSION (ELECTRICITY AND GAS CHARGES)
AMENDMENT BY-LAWS (No. 2) 1983.MADE by the State Energy Commission of Western Australia with the approval of
His Excellency the Governor in Executive Council.Citation. 1. These by-laws may be cited as the State Energy Commission
(Electricity and Gas Charges) Amendment By-laws (No. 2) 1983.Second
Schedule
amended. 2. The Second Schedule to the State Energy Commission (Electricity
and Gas Charges) By-laws 1978*, as amended, is amended in item 1 under
the heading “TARIFF N2.” by deleting “19.04” and substituting the
following—

“ 19.41 ”.

Approved by His Excellency the Governor in Executive Council.

G. PEARCE,
Clerk of the Council.* Published in the *Government Gazette* on 23 June 1978 at pp. 2055-2064.