



**METROPOLITAN WATER (No. 2)**

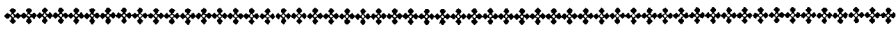
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**No. 78 of 1978**

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**ANALYSIS**

1. Short title.
2. Commencement.
3. Principal Act.
4. Power to borrow.



**AN ACT to amend the Metropolitan Water Act 1961.**

**[20 December 1978]**

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Metropolitan Water Act (No. 2)* Short title.  
1978.

Commencement. **2**—(1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Sections 3 and 4 shall commence on the day of the commencement of the *Water Act (No. 2) 1978*.

Principal Act. **3**—In this Act, the *Metropolitan Water Act 1961\** is referred to as the Principal Act.

Power to borrow. **4**—Section 25 of the Principal Act is amended—

(a) by omitting subsection (1) and substituting the following subsections:—

(1) Subject to this section, the Board, with the consent of the Governor—

(a) may borrow on the security of its revenues or on a guarantee as provided in subsection (2) such sums of money as it may require;

(b) may request the Commission to raise a public loan within Australia on its behalf; and

(c) may request the Commission to raise a private loan outside Australia on its behalf,

for the purposes of this Act.

(1A) In subsection (1)—

“ private loan ” means a loan to which members of the public are not invited to subscribe;

“ public loan ” means a loan that is not a private loan.

(1B) The total amount of any moneys borrowed under subsection (1) (a) and raised by the Commission at the request of the Board under subsection (1) (b) and (c) shall not at any time exceed the sum of \$45 000 000.

(1c) Where the Commission raises a loan at the request of the Board made pursuant to subsection (1), the Board shall, subject to its right under section 20 (2E) of the *Water Act 1957* to refer a dispute between it and the Commission to the Treasurer, comply with a requisition made of it by the Commission under section 20 of that Act.

\* No. 51 of 1961. Subsequently amended by Nos. 1, 8, and 52 of 1962, No. 14 of 1964, Nos. 8 and 55 of 1965, No. 61 of 1970, Nos. 26 and 75 of 1973, No. 92 of 1975, No. 19 of 1976, and No. 34 of 1978.

- (b) by omitting from subsections (2), (3), (4), (5), (6), (8), (11), (12), and (13) the words “this section” (wherever occurring) and substituting, in each case, the words “subsection (1) (a)”;
- (c) by omitting from subsection (3) (b) the words “may be raised —” and substituting the words “may be raised within Australia—”;
- (d) by omitting from subsection (7) the words “this section” (first occurring) and substituting the words “subsection (1) (a)”;
- (e) by omitting from that subsection the words “subsection (1) of this section” and substituting the words “subsection (1B)”;
- (f) by omitting from subsection (9) the words “this section” and substituting the words “subsection (1) (a) or raised on its behalf pursuant to requests made by it under subsection (1) (b) or subsection (1) (c), or any of those loans”.

