

# Melbourne and Metropolitan Board of Works (Amendment) Bill

## EXPLANATORY MEMORANDUM

*Clause 1* sets out the purposes of the Bill which is to make miscellaneous amendments to the *Melbourne and Metropolitan Board of Works Act 1958*.

*Clause 2* provides for the Bill to come into operation on the date it receives Royal Assent except for clause 5 which comes into operation on 1 July 1987.

*Clause 3* identifies the *Melbourne and Metropolitan Board of Works Act 1958* as the Principal Act.

*Clause 4* amends section 37 to delete words relating to the provision of penalties in MMBW contracts thereby according with the general law of contracts.

*Clause 5* amends section 106A to ensure that the body corporate of a residential cluster or strata subdivision is treated in the same manner as a householder in respect of the charges for water consumed in the subdivision.

*Clause 6* amends section 110 by varying the MMBW's water supply by-law making powers to enable the MMBW to alter the provisions of its water supply by-laws to conform to standardised State wide technical and administrative plumbing regulations.

*Clause 7* amends section 111 to vary the MMBW's fee charging by-law powers to enable the MMBW to alter the charges contained in its water supply by-laws to conform with the charges in standardised State wide administrative plumbing regulations.

*Clause 8* inserts a new section (section 160A) to obviate doubts that the owners of unsewered properties, in areas that are generally sewered and for which the MMBW assumes responsibility, can be required to connect to a sewer.

*Clause 9* amends section 170 to make it clear that the provisions of the *Credit Act 1984* do not to apply where the MMBW must accept payment for works by interest bearing instalments.

*Clause 10* amends section 184A by varying the MMBW's sewerage by-law making powers to enable the MMBW to alter the provisions of its sewerage by-laws to conform to State wide technical and administrative plumbing regulations.

*Clause 11* amends section 191 and 192 to delete minor fees payable for the inspection and copying of the MMBW's Register of Debentures.

*Clause 12* amends section 293E to enable persons in necessitous circumstances to have MMBW charges, costs and expenses, in addition to rates, remitted, excused or deferred.

*Clause 13* amends section 241 to enable fees to be prescribed by reference to a number of "charge units".

*Clause 14* amends section 257A to insert the office of General Manager, as a housekeeping amendment.

*Clause 15* amends section 289A to obviate doubts that the owners or occupiers of lands abutting waterways can obtain consent to construct a bridge or crossing in or over the waterway.

