**RENMARK IRRIGATION TRUST ACT AMENDMENT BILL 1969**

**Legislative Council, 28 October 1969, page 2485**

Second reading

**The Hon. C. M. HILL (Minister of Local Government):** I move:

*That this Bill be now read a second time.*

It is complementary to the Supreme Court Act Amendment Bill at present before the House. Its purpose is to vest certain valuation jurisdictions existing under the Renmark Irrigation Trust Act in the Land and Valuation Court.

Clauses 1 and 2 are formal. Clause 3 inserts a definition of “the Land and Valuation Court” in section 5 of the principal Act. Clause 4 amends section 86 of the principal Act. Section 78 provides for the Renmark Irrigation Trust to make assessments for the purpose of rating. Section 85 provides for the making of appeals against the assessment. Section 87 at present provides that these appeals may be made either to the trust or directly to the local court of full jurisdiction nearest to the trust office. This reference to the local court is struck out and a reference to the Land and Valuation Court is inserted.

Clause 5 amends section 87 of the principal Act. This deals with the manner in which an appeal is to be made, and appropriate variations are made to its provisions to deal with an appeal to the Land and Valuation Court. Clause 6 amends section 88 of the principal Act. This section merely provides for the production of the assessment book at the hearing of the appeal, and appropriate consequential amendments are made to its provisions.

Clause 7 amends section 89 of the principal Act. This section deals with the situation where an appeal has been made in the first instance to the trust and a subsequent appeal is made to the court. The procedural provisions of this section are amended to provide for an appeal to the Land and Valuation Court in accordance with appropriate rules of court.

Clause 8 amends section 90 of the principal Act. This provision deals with the costs of an appeal, and appropriate consequential amendments are made in view of the fact that jurisdiction is now to be vested in the Land and Valuation Court.

Clause 9 amends section 165 of the principal Act. This section deals with a claim for compensation for injury caused to a landholder in consequence of the activities of the trust. The jurisdiction to determine compensation is at present vested in the local court, and the amendment divests this jurisdiction from the / local court and vests it in the Land and Valuation Court.

Clause 10 repeals and re-enacts section 166 of the principal Act. This section deals with the procedure to be adopted by a court, and the re-enacted section is in an appropriate form for the purposes of the Land and Valuation Court. Clause 11 repeals section 167 of the principal Act which is unnecessary in view of the fact that the jurisdiction is now to be exercised by a division of the Supreme Court.

Clause 12 amends section 168 of the principal Act. This section at present enables the Supreme Court to stay proceedings for compensation where the execution of the works which are alleged to have caused the injury is incomplete. This jurisdiction to stay proceedings is vested in the Land and Valuation Court.

Clause 13 makes a consequential amendment to the Fifth Schedule of the principal Act. Clause 14 repeals the Sixth Schedule, the provisions of which will be covered by rules of court.

The Hon. S. C. BEVAN secured the adjournment of the debate.