SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

House of Assembly, 13 March 1974, page 2440

Second reading

**The Hon. J. D CORCORAN (Minister of Works)** obtained leave and introduced a Bill for an Act to amend the South-Eastern Drainage Act, 1931-1972. Read a first time.

The Hon. J. D. CORCORAN: I move:

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

I ask leave to have the second reading explanation inserted in Hansard without my reading it.

Leave granted.

EXPLANATION OF BILL

It deals with two minor matters arising under the South-Eastern Drainage Act. The South-Eastern Drainage Act provides for landholder representation on the drainage board and on the appeal board established pursuant to its provisions. A “landholder” is defined in the principal Act as the owner of a freehold estate in the land, the holder of land under an agreement with the Crown or the holder of a perpetual lease of the land. In a number of cases land is held by a small family company. In this case the members of the company are strictly not entitled to be appointed as landholder members of the drainage board or the appeal board because they are not “landholders”. The Government feels that such persons should be eligible for appointment and hence the present Bill contains provisions under which a director of a body corporate or a member of its board of management is eligible for election or appointment to one of the boards established under the principal Act where the body corporate is a landholder in respect of land situated in the South-East.

The second amendment deals with interest on unpaid rates. At present the principal Act provides that interest commences to run after the expiration of three months from the time at which the rates became due and payable. The principal Act, however, draws a distinction between the time at which rates become due and payable and the time at which rates become recoverable. In fact they become “recoverable” some time after they become “due and payable”. The Government believes that it is appropriate that interest should run as from three months after the rates become “recoverable” and an amendment is made accordingly.

Clause 1 is formal. Clause 2 provides that the amendments will be retrospective to April 1, 1972. The amendments are made retrospective in order to validate the election of certain persons to the appeal board. Clauses 3 and 4 provide that, where a body corporate is a landholder in respect of land in the South-East, a director of the body corporate or a member of its board of management shall be eligible for election to the drainage board and the appeal board respectively Clause 5 provides that interest shall run as from three months after drainage rates become recoverable.

Mr RODDA secured the adjournment of the debate.