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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

WATER (CONSEQUENTIAL AMENDMENTS) BILL 2007

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for the Environment and Water Resources,
the Honourable Malcolm Turnbull MP)

WATER (CONSEQUENTIAL AMENDMENTS) BILL 2007

GENERAL OUTLINE

1. The *Water Bill 2007* gives effect to a number of key elements of the Commonwealth Government's \$10 billion *National Plan for Water Security*, announced by the Prime Minister on 25 January 2007.
2. The Water Bill will enable water resources in the Murray-Darling Basin to be managed in the national interest, optimising environmental, economic and social outcomes. The Water Bill also:
 - gives the Bureau of Meteorology a new role in collecting and reporting on water information and developing National Water Information Standards;
 - provides for a new audit role for the National Water Commission; and
 - provides for a new role for the Australian Competition and Consumer Commission in developing and enforcing water charge and water market rules.
3. This Bill, the *Water (Consequential Amendments) Bill*, deals with consequential amendments to the *Meteorology Act 1955*, the *National Water Commission Act 2004* and the *Trade Practices Act 1974* to provide for the functions of the Bureau of Meteorology, the National Water Commission and the Australian Competition and Consumer Commission listed above.

FINANCIAL IMPACT STATEMENT

4. There are no financial implications associated with this Bill.

NOTES ON INDIVIDUAL CLAUSES

Clause 1 - Short Title

5. This clause provides that the short title by which the Bill may be cited is the *Water (Consequential Amendments) Act 2007*.

Clause 2 - Commencement

6. This clause specifies when different provisions of the Bill commence. Commencement is mostly by reference to the commencement of provisions of the *Water Act 2007*.

Clause 3 – Schedule(s)

7. This clause provides for amendments to the Acts specified in the Schedule.

SCHEDULE 1 – AMENDMENTS

Clauses 1 to 4 – *Meteorology Act 1955*

8. These clauses amend the *Meteorology Act 1955* to provide for the role of the Bureau of Meteorology under Part 8 (Water information) of the *Water Act 2007*.
9. Clause 3 ensures that the powers of the Bureau under section 7(1) of the *Meteorology Act 1955* apply to the functions under Part 8 of the *Water Act 2007*.
10. Clause 4 ensures that the powers of the Bureau to make charges for forecasts, information, advice and other matters supplied in pursuance of the *Meteorology Act 1955* also apply in relation to Part 8 of the *Water Act 2007*.

Clause 5 – *National Water Commission Act 2004*

11. This clause amends the *National Water Commission Act 2004* to allow the Commission to undertake functions conferred by another law of the Commonwealth. The intention of this amendment is to allow the Commission to undertake the functions provided in Part 7 (Audits by National Water Commission) of the *Water Act 2007*.

Clauses 6 to 8 – *Trade Practices Act 1974*

12. These clauses amend the *Trade Practices Act 1974* to provide for the Australian Competition and Consumer Commission's (ACCC) role under Part 3 (Basin water charge and market rules) of the *Water Act 2007*.
13. Clause 6 ensures that the ACCC's delegation powers apply in relation to its functions under the *Water Act 2007*.
14. Clause 7 allows the ACCC to use its powers to obtain information, documents and evidence (provided for in the *Trade Practices Act 1974*) in relation to a designated water matter. Clause 8 provides a definition for 'designated water matter'.