Date Introduced: 26 May 1983
House: House of Representatives
Presented by: Hon. B. Jones, M.P., Minister representing the Minister for Resources and Energy

Short Digest of Bill

Purpose

To give effect to a new River Murray Waters Agreement between the Commonwealth, New South Wales, Victoria and South Australia. The new Agreement is set out in the Schedule.

Background

The apportionment and management of River Murray waters has been a matter for dispute between NSW, Victoria and South Australia since before Federation. In fact, the original River Murray Waters Agreement of 1914 together with the River Murray Commission provided for in the Agreement has reflected the very narrow areas of agreement on the River Murray between these States. The Commonwealth itself has not played a strong role in resolving disputes since 1914 because its Constitutional position vis-a-vis the States is usually perceived as weak.

Whereas NSW and Victoria take a large proportion of their irrigation water entitlement from the clean upper end of the Murray, South Australia's entitlement taken from the lower end is much more saline as a result of irrigation and natural processes. At the insistence of South Australia, and with the cooperation of the Commonwealth, the four parties to the original Agreement have recently carried out the first major review of its effectiveness with special reference to water quality. After many objections and delays, a new Agreement giving the River Murray Commission limited powers over water quality, among other changes, has been signed by the Commonwealth and the three States. The River Murray Waters Bill provides for the execution of Commonwealth responsibilities within the new Agreement. This Bill is identical to that introduced by the previous Government in October 1982, and subsequently lapsed when Parliament was dissolved.
Main Provisions

Clause 4 Approval of the new Agreement, as set out in the Schedule to the Bill.

Clause 6 Provides for the appointment by the Governor-General of a Commonwealth Commissioner and a Deputy Commissioner to serve on the River Murray Commission. Period of holding office not to exceed 5 years in the first instance, but there is opportunity for re-appointment.

Clause 10 This clause enables State courts to exercise full jurisdiction over matters arising under the Bill, notwithstanding that jurisdiction over the matter may be elsewhere vested in Commonwealth courts.

Clause 12 A Contracting Government or Constructing Authority will be exempted from paying Commonwealth taxes or charges in respect of the construction of any works, property used or held for the purposes of the Agreement.

Clause 14 Requires that all reports and statements received under the Agreement by the Governor-General be tabled in Federal Parliament without delay.

Clause 17 Repeals previous River Murray Waters Acts and the Menindee Lakes Storage Agreement Act 1963, and provides for the continuing term of office of the present Commonwealth Commissioner and Deputy Commissioner.

For further information, if required, contact:

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