

Australian Capital Territory

Water Resources (Fees) Determination 2020

Disallowable instrument DI2020-200

made under the

Water Resources Act 2007, s 107 (Determination of fees)

EXPLANATORY STATEMENT

Overview

Section 107 of the *Water Resources Act 2007* (the Act) permits the Minister to determine fees for the Act.

The purpose of this instrument is to determine the fees for goods and services under the Act for the 2020-21 financial year and to provide a fee exemption to facilitate meeting commitments under the Basin Plan 2012 (Cwlth).

The regulatory fees (excluding water abstraction charge) in the determination have been increased by 2% for the 2020-21 financial year based on the wage price index and then appropriate rounding has been applied in relation to increases. The Government will index the Water Abstraction Charge (WAC) by 3% as per the decision in the 2016-17 Budget.

The instrument includes an exemption from the payment of the Grant of Water Access Entitlement (WAE) fee where the intended use of the water involves the Territory complying with commitments under the Basin Plan 2012 (Cwlth).

This exemption relates to the Grant of WAE fee where the entitlement would be granted (a) to provide the shared reduction amount for the southern Basin Australian Capital Territory zone and/or (b) to facilitate the Territory's participation in the Murray-Darling Basin Water Efficiency Program – ACT Led Efficiency Project.

A determination under section 107 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001* (Legislation Act).

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced Government policy.

Human Rights

The Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.

Clause Notes

1 – Name of instrument

This clause names the instrument.

2 – Commencement

This clause provides for the commencement of the instrument. The instrument commences on 1 July 2020.

3 – Determination of fees

This clause sets the fees, as set out in the schedule.

4 – Payment of fees

This clause specifies by whom a fee is payable; namely, a person requesting the relevant good or service.

5 – Fee exemption

This clause provides for the fee exemption.

6 – Definitions

This clause defines terms used in the instrument.

7 – Revocation

This clause revokes the previous instrument, the *Water Resources (Fees) Determination 2019* (DI2019-128), as it is being replaced by this instrument.