

South Australia

Natural Resources Management (Financial Provisions) (Environmental Donations Licences) Variation Regulations 2005

under the *Natural Resources Management Act 2004*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Natural Resources Management (Financial Provisions) (Environmental Donations Licences) Variation Regulations 2005*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Natural Resources Management (Financial Provisions) Regulations 2005*

4—Insertion of regulation 8A

After regulation 8 insert:

8A—Refund of levies

- (1) In this regulation—

environmental donations licence means an environmental donations licence under the *Natural Resources Management (General) Regulations 2005*;

donation means a gift for no consideration.

- (2) For the purposes of section 114 of the Act—

(a) the donation of the whole or a part of a water allocation of a water licence to the holder of an environmental donations licence (so that the allocation can be assigned to that licence); and

(b) the variation of the conditions endorsed on a water licence so that the licence will become an environmental donations licence,

are recognised as natural resources management practices on which an application for a refund of a water levy may be based.

- (3) The maximum proportion of a water levy that may be subject to a refund (the *eligible levy amount*) is equal to the proportion of the allocation donated, or within the ambit of the relevant condition, in the manner contemplated by subregulation (2).
- (4) The amount of any refund will be determined according to the following table:

<i>Date within the relevant financial year on which the donation or variation of conditions takes effect</i>	<i>Percentage of eligible levy amount payable</i>
1 July-10 July	100
11 July-31 October	75
1 November-31 January	50
1 February-31 March	25
1 April-30 June	0

- (5) To avoid doubt, an application may be made under this regulation with respect to a water levy declared for the 2005/2006 financial year.

**Natural Resources Management (Financial Provisions) (Environmental Donations Licences) Variation
Regulations 2005**

Variation of *Natural Resources Management (Financial Provisions) Regulations 2005*—Part 2

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 24 November 2005

No 243 of 2005

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