



NSW Government

Department of Water & Energy

## Do you have a security interest over a Water Access Licence ?

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**This notice applies to people who held a security interest over land to which a water licence was attached under the *Water Act 1912*.**

Security interests include mortgages and company charges.

On **1 October 2006 Water Sharing Plans** commenced for the:

- **Lower Gwydir Groundwater Source**
- **Lower Macquarie Groundwater Sources**
- **Lower Murrumbidgee Groundwater Sources**

On **1 November 2006 Water Sharing Plans** commenced for the:

- **Upper and Lower Namoi Groundwater Sources**
- **Lower Murray Groundwater Source**

On **1 July 2007 the Water Sharing Plan for the Paterson Regulated River Water Source** commenced.

A person who held a security interest in a *Water Act 1912* entitlement immediately before the commencement day of these plans is taken to have an equivalent security interest in the replacement water access licence under the *Water Management Act 2000* if the requirements of Clause 19 of Schedule 10 of the Act are satisfied.

Security interests in replacement water access licences may be registered in the Water Access Licence Register.

Security interest holders **have three years from the date of commencement of the relevant plan** to have the interest registered against the replacement water access licence in the Water Access Licence Register.

Security interests registered within time in the Water Access Licence Register will retain their current priority relative to other security interests. If the security interest is not registered in the Water Access Licence Register within three years, it will be extinguished by the operation of the provisions of the Act.

The Department of Water and Energy will act for any person claiming a security interest, at no cost to the person, in relation to the registration of the interest in the Water Access Licence Register.

Before an interest is registered, a person claiming an interest(s) must lodge a written notice with the Department of Water and Energy stating that the holder of the licence was advised, at least 90 days before lodging the notice, in the form approved by the Director-General, of the existence of the security interest claimed.

**For more information phone toll free 1800 353 104.**

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