

Summary of the *Water Charge (Termination Fees) Amendment Rules 2011*

Subsection 92(1) of the *Water Act 2007* provides for the Minister for Sustainability, Environment, Water, Population and Communities to make and amend water charge rules. The *Water Charge (Termination Fees) Amendment Rules 2011* amend the *Water Charge (Termination Fees) Rules 2009*, which relates to termination fees in the Murray-Darling Basin.

Part 1 – Preliminary

Rule 1 sets out the name of the amendments as the *Water Charge (Termination Fees) Amendment Rules 2011*.

Rule 2 specifies that the amendments commence on the day after they are registered on the Federal Register of Legislative Instruments.

Rule 3 sets out the schedule to amend the *Water Charge (Termination Fees) Rules 2009*.

Schedule – Amendments

Part 1, Rule 3 – The definition of total network access charge has been amended to explicitly exclude any amount of GST from the calculation of the charge.

Part 3, Rule 7 – The calculation of termination fee has been amended to provide that where GST is payable in respect of a taxable supply relating to the termination or surrender of the whole or part of a right of access, termination fees may be increased by an amount not exceeding the GST payable in respect of that taxable supply.