

This submission was provided on the basis that the name of the author would be withheld. The ACCC has accepted this condition.

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Proposed amendments to the Water Market Rules 2009 and Water Charge Rules 2009 to protect Murray Irrigation Limited (MIL) from legal action following their confiscation of 17% of their irrigators water entitlements should not be approved by the Minister.

Contrary to the provisions of its Constitution, MIL has confiscated without compensation the conveyance component of irrigators water entitlements (17%) which were issued without qualification at Privatisation in 1995.

A judgement on the legality or otherwise of MIL's decision to confiscate the conveyance component of its irrigators water entitlements should left to the Courts. Irrigators should be able to challenge MIL via the legal system and MIL should not be given additional protection under the Water Act 2007 (Market/Charge Rules).