



New South Wales

# Border Fence Maintenance Regulation 2025

under the

Border Fence Maintenance Act 1921

*[The following enacting formula will be included if this regulation is made—]*

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Border Fence Maintenance Act 1921*.

Minister for Lands and Property

## Explanatory note

The object of this regulation is to repeal and remake, with minor changes, the *Border Fence Maintenance Regulation 2018*, which would otherwise be repealed on 1 September 2025 by the *Subordinate Legislation Act 1989*, section 10(2).

This regulation provides for the following—

- (a) annual rates payable,
- (b) interest payable on overdue rates,
- (c) the form of rate notices,
- (d) savings and formal matters.

Contents

	Page
1 Name of regulation	3
2 Commencement	3
3 Definition	3
4 Prescribed amount for annual rates	3
5 Interest on overdue rates	3
6 Rate notice	3
7 Repeal and savings	4

## Border Fence Maintenance Regulation 2025

under the

Border Fence Maintenance Act 1921

### 1 Name of regulation

This regulation is the *Border Fence Maintenance Regulation 2025*.

### 2 Commencement

This regulation commences on the day on which this regulation is published on the NSW legislation website.

**Note—** This regulation repeals and replaces the *Border Fence Maintenance Regulation 2018*, which would otherwise be repealed on 1 September 2025 by the *Subordinate Legislation Act 1989*, section 10(2).

### 3 Definition

In this regulation—

**the Act** means the *Border Fence Maintenance Act 1921*.

**Note—** The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this regulation.

### 4 Prescribed amount for annual rates

For the Act, section 12(1A), the prescribed amount is 7 cents per hectare.

### 5 Interest on overdue rates

For the Act, section 12A(2), the prescribed rate of interest is the rate prescribed under the *Civil Procedure Act 2005*, section 101 as the rate of interest payable on a judgment debt.

### 6 Rate notice

For the Act, section 14(1), the prescribed form of rate notice is a written form that includes the following—

- (a) the heading “Border Fence Maintenance Act 1921—Rate Notice”,
- (b) the notice number,
- (c) the date of issue of the notice,
- (d) the name of the person liable to pay the rate,
- (e) a description of the land in relation to which the rate is imposed,
- (f) the area of the land in hectares,
- (g) the amount prescribed by section 4 for annual rates,
- (h) the person or authorised deposit-taking institution to which payment of the rate may be made,
- (i) the interest rate prescribed by section 5 for overdue rates.

## **7 Repeal and savings**

- (1) The *Border Fence Maintenance Regulation 2018* is repealed.
- (2) An act, matter or thing that, immediately before the repeal of the *Border Fence Maintenance Regulation 2018*, had effect under that regulation continues to have effect under this regulation.