

64. Application for mining tenement

- (1) Application for a mining tenement shall be in the form No. 21 in the First Schedule and lodged with the warden by being filed at the office of the mining registrar with the prescribed fees and rent within 10 days of marking out or such further time as the warden considers reasonable.
- (1a) For the purposes of section 58(1) an application for an exploration licence, in the form No. 21 of the First Schedule, includes —
 - (a) a completed copy of Attachment 1 to form No. 21, identifying the block or blocks to which the application relates by number; and
 - (b) a completed copy of Attachment 2 to form No. 21, clearly delineating the block or blocks to which the application relates,in accordance with section 58(2)(a).
- (2) On receipt of the application the mining registrar shall post a copy of the application on the notice board at his office.
- (3) The applicant shall obtain from the mining registrar sufficient copies of the application to enable, where applicable, copies to be served or given in accordance with sections 33, 41, 56A, 70, 85B, 91 or 118 of the Act, and compliance with subregulations (4), (5) and (6).
- (4) The applicant shall affix a copy of the application to the datum post of the ground applied for within 14 days of the date of application, or such further period as the warden considers reasonable, and shall keep the copy intact and legible until the application is granted, but the affixing of the copy to the datum post may be dispensed with by the warden upon his being satisfied that the ground is situated in a remote or unoccupied locality and such affixing would not effect publicity.
- (5) The applicant shall cause an advertisement, containing such particulars of the application as the Director General of Mines requires, to be published —
 - (a) in a newspaper or newspapers; and
 - (b) on a day of the week,nominated by the Director General of Mines, within 14 days of the date of the application or within such further period as the warden considers reasonable.
- (5a) Subregulation (5) does not apply in relation to an application for a special prospecting licence under section 56A, 70 or 85B.
- (6) An applicant for a mining tenement in respect of land that is the subject of a miscellaneous licence shall, in addition to giving notice of the application as required by the Act and these regulations, cause a copy of the application to be given to the holder of the miscellaneous licence.

[Regulation 64 amended in Gazette 2 October 1987 p.3819; 31 May 1977 pp.2698-9; 31 July 1992 p.3776; 2 July 1993 p.3271; 24 June 1994 p.2931; 13 October 1995 p.4818; 4 April 1997 p.1778.]