MINERALS AND ENERGY

MN301*

Mining Act 1978

Mining Amendment Regulations (No. 3) 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the Mining Amendment Regulations (No. 3) 2000.

2. The regulations amended

The amendments in these regulations are to the Mining Regulations 1981*.

[* Reprinted as at 18 March 1996. For amendments to 13 March 2000 see 1998 Index to Legislation of Western Australia, Table 4, pp. 215-16, and Gazette 11 June, 18 June and 19 November 1999 and 21 January and 8 February 2000.]

3. Regulation 86AA amended

Regulation 86AA(5a) and (5b) are repealed.

4. Regulation 86F replaced

Regulation 86F is repealed and the following regulation is inserted instead —

86F. Royalty relief

(1) Despite anything in regulation 86 or 86AA, if the Minister is satisfied in a particular case that there are circumstances justifying royalty relief, the Minister may determine that in that case the rate of royalty payable —

(a) under regulation 86, for any mineral produced or obtained while the determination is expressed to apply; or

(b) under regulation 86AA, for gold metal produced while the determination is expressed to apply,

is to be on the basis of a portion only, as specified in the determination, of the royalty base.

(2) Despite regulation 86A, a determination under subregulation (1) may also specify the time and manner of payment of royalties.
(3) In this regulation —

“circumstances justifying royalty relief” means circumstances that meet criteria for the giving of royalty relief that the Minister has published in the Gazette;

“gold metal” has the same meaning as it has in regulation 86AA(11);

“royalty base” means —

(a) in the case of gold metal, the realized value of the gold metal in respect of which the rate of royalty is payable;

(b) in the case of any other mineral, anything by reference to which regulation 86 fixes the rate of royalty payable for that mineral.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.