MINING AMENDMENT REGULATIONS 1992

Made by His Excellency the Governor in Executive Council.

Citation
1. These regulations may be cited as the Mining Amendment Regulations 1992.

Principal regulations
2. In these regulations the Mining Regulations 1981* are referred to as the principal regulations.

[* Reprinted in the Gazette of 24 August 1988 at pp. 3147-3242.
For amendments to 15 May 1992 see 1991 Index to Legislation of Western Australia pp.425-426.]

Regulation 5 amended
3. Regulation 5 (a) of the principal regulations is amended by deleting “of the” and substituting the following —

“ of a ”.
Regulation 15 amended

4. Regulation 15 of the principal regulations is amended by inserting after subregulation (1) the following subregulation —

"(1a) Expenditure incurred under subregulation (1) during the month in which the anniversary date of the commencement of the term of the licence occurs may be treated by the holder as expenditure incurred in either the year immediately preceding that anniversary date or the year starting from such date.".

Regulation 21 amended

5. Regulation 21 of the principal regulations is amended by inserting after subregulation (1) the following subregulation —

"(1aa) Expenditure incurred under subregulation (1) during the month in which the anniversary date of the commencement of the term of the licence occurs may be treated by the holder as expenditure incurred in either the year immediately preceding that anniversary date or the year starting from such date.".

Regulation 31 amended

6. Regulation 31 of the principal regulations is amended by inserting after subregulation (1) the following subregulation —

"(1a) Expenditure incurred under subregulation (1) during the month in which the anniversary date of the commencement of the term of the lease occurs may be treated by the holder as expenditure incurred in either the year immediately preceding that anniversary date or the year starting from such date.".

Regulation 64 amended

7. Regulation 64 (3) of the principal regulations is amended by deleting "and (5)" and substituting the following —

"(5) and (6) ".

Regulation 76A inserted

8. After regulation 76 of the principal regulations, the following regulation is inserted —

Withdrawal of caveats

"76A. One or more caveats may be withdrawn by lodging a withdrawal of caveat in Form 24A in the First Schedule with the prescribed fee.".

Regulation 83 amended

9. Regulation 83 of the principal regulations is amended by deleting "a discharge of mortgage in the form No. 26" and substituting the following —

"an instrument of discharge, in Form 26 or 26A, as applicable,".

Regulation 110 amended

10. Regulation 110 (2) of the principal regulations is amended by deleting "at Perth".

Regulation 115 amended

11. Regulation 115 of the principal regulations is amended by deleting "$500" and "$100" and substituting respectively the following —

"$5 000 " and "$1 000 "."
First Schedule amended

12. The First Schedule to the principal regulations is amended —

(a) in Attachment 2 to Form 21 by deleting “BLOCK” wherever it occurs and substituting the following —

" PRIMARY ";

(b) by deleting Form 23 and substituting the following form —

* Form 23 WESTERN AUSTRALIA
Mining Act 1978
(Regs. 75, 81, 84 & 134)

**TRANSFER**

No.

<table>
<thead>
<tr>
<th>INTEREST BEING TRANSFERRED</th>
<th>Details of Mining Tenement and Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Type of tenement</td>
<td>(a)</td>
</tr>
<tr>
<td>(b) Number</td>
<td>(b)</td>
</tr>
<tr>
<td>(c) Mineral Field</td>
<td>(c)</td>
</tr>
<tr>
<td>(d) Number of shares</td>
<td>(d)</td>
</tr>
</tbody>
</table>

**TRANSFEROR**

(e) Full name and address

**CONSIDERATION**

(f) In words — see Note 1

**TRANSFEREE**

(g) Full name and address

(h) Mortgage number and Mortgagee or “NIL” (See note 2)

THE TRANSFEROR for the consideration expressed HEREBY TRANSFERS TO THE TRANSFEREE the interest specified in the abovementioned mining tenement, and the TRANSFEREE accepts the said interest subject to any mortgage shown hereon and to all the terms and conditions under which it is now held.

DATED this day of 19

(i) Signature of transferor

(j) Signature of transferee

(k) Signature of witness

(LODGING PARTY)

(l) Full name and address (for return of documents)

TRANSFERORS sign here

TRANSFEREES sign here

Signed (i) in the presence of (k)

Signed (j) in the presence of (k)

Signed (i) in the presence of (k)

Signed (j) in the presence of (k)
WITHDRAWAL OF CAVEAT

(a) Full name & Address of Caveator

Caveator

(b) Specify caveat(s) to be withdrawn and mining tenement(s) affected

Caveat Number(s) and mining tenement(s) affected

THE CAVEATOR HEREBY WITHDRAWS the abovementioned caveat(s) against the interest in the mining tenement(s) described above

DATED this day of 19

(c) Signature of caveator

Caveator or agent signs here

(d) Signature of witness

Witness signs here

Signed(c) ..................... in the presence of (d) .....................

(e) LODGING PARTY

Full name and address (for return of documents)
(d) by inserting after Form 26 the following form —

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Form 26A
WESTERN AUSTRALIA
Mining Act 1978
(Reg. 83)

PARTIAL DISCHARGE OF MORTGAGE

| (a) Full name & Address of Mortgagee | Mortgagee |
| (b) Date of Mortgage | Mortgage details |
| (c) Number of Mortgage | |
| (d) Specify mining tenement(s) and state either “the whole” or number of share mortgage is discharged from (See Note 1) | Details of mining tenement(s) and shares against which Mortgage discharged |
| (e) Full name of holders(s) of shares mortgage is discharged against | |

THE MORTGAGEE HEREBY DISCHARGES the interest in the mining tenement(s) described above from the abovementioned Mortgage without releasing the mortgagor from any liability under that Mortgage.

DATED this day of 19

(f) Signature and/or company seal of (a) the above

(g) Signature(s) of independent witness

SIGNATURE(S) WITNESS(ES) TO SIGNATURE(S)

COMPANY SEAL
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Second Schedule amended

13. The Second Schedule to the principal regulations is amended in column 2 of item 10, by inserting before "83", the following —

" 76A,  

By His Excellency's Command, M. C. WAUCHEPE, Clerk of the Council.