

MP301

Mining Act 1978

Mining Amendment Regulations (No. 3) 2019

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment Regulations (No. 3) 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Mining Regulations 1981*.

4. Regulation 64 amended

- (1) In regulation 64(1C) delete “8” and insert:

8A

- (2) After regulation 64(6) insert:

- (7) In relation to an application for a mining lease, regulation 109(3A) is to be disregarded for the purposes of subregulation (1C).
- (8) If, on an application for a mining lease, a mining lease is granted with a restriction of the kind referred to in regulation 109(3A), the applicant is entitled to a refund of rent for the first year of the initial term of the mining lease based on the difference between —
 - (a) the annual rent that accompanied the application under subregulation (1C); and
 - (b) the annual rent set out in Schedule 2 item 8B paragraph (a) as at the time the initial term commences.

- (9) Subregulation (8) applies to a mining lease that is granted on an application made before the coming into operation of the *Mining Amendment Regulations (No. 3) 2019* regulation 3 if the initial term of the mining lease commences on or after the coming into operation of that regulation.

5. Regulation 109 amended

- (1) In regulation 109(3) delete “8.” and insert:

8A, subject to subregulation (3A).

- (2) After regulation 109(3) insert:

- (3A) If a mining lease is restricted under section 110 to minerals dissolved in brine, Schedule 2 item 8B applies instead of item 8A.

6. Schedule 2 amended

- (1) In Schedule 2 delete item 5.

- (2) In Schedule 2 after item 8 insert:

8A.	Annual rent of mining lease per hectare or part of 1 hectare	18.70
8B.	Annual rent of mining lease per hectare or part of 1 hectare where the lease is restricted under section 110 to minerals dissolved in brine —	
(a)	for years 1 to 5 of the initial term of the lease	2.32
(b)	for year 6, and each subsequent year, of the initial term of the lease	4.64
(c)	if the lease is renewed or further renewed, for each year of the further term of the lease	4.64

C. BARRON, Clerk of the Executive Council.