
MINERALS AND PETROLEUM

MP301

Mining Act 1978

Mining Amendment Regulations (No. 3) 2020

SL 2020/25

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment Regulations (No. 3) 2020*.

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 86 amended

In regulation 86 in the Table item relating to Lithium delete “Minerals” and insert:

(concentrate)

5. Regulation 86AE inserted

After regulation 86AD insert:

86AE. Rates of royalty for lithium: feedstock and sales to related parties

- (1) For the purposes of calculating royalty payable on lithium concentrate under regulation 86, the royalty value is worked out using the method determined under subregulation (2) in the following circumstances —
 - (a) the sale of the concentrate is to a related corporation;

- (b) the concentrate is not sold but is used as feedstock in the production of lithium hydroxide or lithium carbonate.
- (2) The Minister may from time to time determine a method for working out the royalty value of lithium concentrate that takes into account prices obtained for lithium concentrate of the same or a similar grade to the lithium concentrate concerned.
- (3) In the case of lithium concentrate used as described in subregulation (1)(b), regulation 86A(2) has effect as if the reference to the quarter in which the mineral was produced or obtained were a reference to the quarter in which the lithium concentrate was used.

6. Regulation 86A amended

In regulation 86A(2) delete “regulation,” and insert:

regulation and regulation 86AE(3),

N. HAGLEY, Clerk of the Executive Council.
