

Mining Act 1978

Mining Amendment (COVID-19 Response) Regulations 2020

SL 2020/108

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment (COVID-19 Response) Regulations 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* (**gazettal day**);
- (b) regulations 4(3), 6 and 7(2) — on 1 July 2021;
- (c) the rest of the regulations — on the day after gazettal day.

3. Regulations amended

These regulations amend the *Mining Regulations 1981*.

4. Regulation 54 amended

- (1) Delete regulation 54(1b) and insert:

- (1B) A copy of a Form 18 lodged under section 102 must be published on the Department's website.

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(2) After regulation 54(3) insert:

(4) An applicant for a certificate of exemption under regulation 55 need not comply with subregulation (3) but must instead lodge with the application evidence of the applicant's inability to meet the expenditure requirements applicable to the applicant's licence as a result of the COVID-19 pandemic or a restriction imposed under a written law in response to the COVID-19 pandemic.

(3) Delete regulation 54(4).

5. Regulation 55 inserted

After regulation 54 insert:

55. Certificate of exemption (Act s. 102(3)): provisions relating to COVID-19 pandemic

For the purposes of section 102(3), a holder of a prospecting licence or an exploration licence may apply for a certificate of exemption under section 102(1) or 102A(1) if the holder is unable to meet the expenditure requirements applicable to the holder's licence as a result of the consequences of —

- (a) the COVID-19 pandemic; or
- (b) a restriction imposed under a written law in response to the COVID-19 pandemic.

6. Regulation 55 deleted

Delete regulation 55.

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7. Regulation 146 amended

(1) After regulation 146(2)(a) insert:

- (aa) where the application being objected to is for a certificate of exemption under regulation 55 — 14 days after the day on which a copy of the Form 18 for the application is published under regulation 54(1B); or

(2) Delete regulation 146(2)(aa).

8. Schedule 1 Form 18 amended

In Schedule 1 Form 18 delete:

Note 1: A statutory declaration setting out reasons in support of the application must be lodged at any mining registrar's office within 28 days after lodgment of the application or within any extension of that period.
(See regulation 54(3) and (4) of the *Mining Regulations 1981*.)

R. NEILSON, Clerk of the Executive Council.
