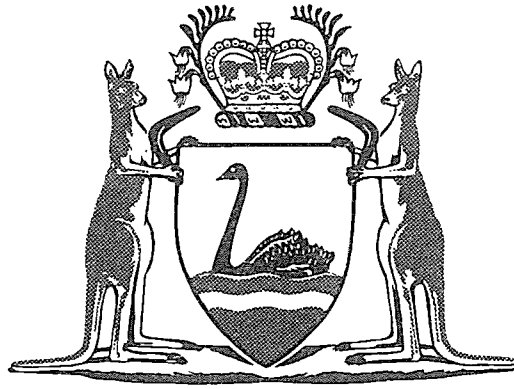


3811



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.45 pm)

No. 99]

PERTH: FRIDAY, 2 OCTOBER

[1987

MINING ACT 1978

MINING AMENDMENT
REGULATIONS (No. 2)
1987

WESTERN AUSTRALIA

MINING ACT 1978

**MINING AMENDMENT REGULATIONS
(No. 2) 1987**

MADE by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Mining Amendment Regulations (No. 2) 1987*.

Commencement

2. These regulations shall come into operation on the proclamation of section 63 of the *Mining Amendment Act 1985*.

Principal regulations

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

[*Published in the Gazette of 13 November 1981 at pp. 4601-4676. For amendments to 17 June 1987 see page 306 of 1986 Index to Legislation of Western Australia.]

Regulation 2 amended

4. Regulation 2 of the principal regulations is amended by deleting the definitions of "Part", "regulation", "subregulation" and "the Act".

Regulation 4 repealed and a regulation substituted

5. Regulation 4 of the principal regulations is repealed and the following regulation is substituted—

Quantity of samples or specimens

- “ 4. The quantity of each sample or specimen the holder of a Miners' Right may extract and remove from Crown land—
- (a) under section 20 (2) (c); or
 - (b) when fossicking,
- shall not, on each occasion a sample or specimen is taken, exceed 20 kilograms. ”.

Regulation 10 repealed and regulations 10 and 10A substituted

6. Regulation 10 of the principal regulations is repealed and the following regulations are substituted—

Consents under section 29

- “ 10. (1) The consents in writing referred to in section 29(2) shall be—
- (a) filed at the office of the mining registrar; and
 - (b) accompanied by a copy of the certificate of title for the relevant land.
- (2) The consents in writing referred to in section 29(6) shall be—
- (a) filed with the Director General of Mines at the Department of Mines at Perth; and
 - (b) accompanied by a copy of the certificate of title for the relevant land.

Compensation

10A. (1) A claim for compensation under section 123 (3) (a) shall be in the form No. 3A in the First Schedule.

(2) On receipt of a claim for compensation under s.123 (3) (a) the mining registrar shall—

- (a) fix a date and time for informal proceedings to be heard by the warden; and
- (b) advise the owner or occupier and the person liable for payment of compensation of that date and time.

(3) Attendance at informal proceedings referred to in subregulation (2) (a) is not compulsory and parties may submit written submissions to the Warden. ”.

Regulation 12 amended

7. Regulation 12 of the principal regulations is amended by deleting paragraphs (a) and (b) and substituting the following paragraphs—

- “ (a) the prescribed application fee; and
- (b) the prescribed rent per hectare or part thereof. ”.

Regulation 14 amended

8. Regulation 14 of the principal regulations is amended by inserting after “500 tonnes of ore” the following—

- “ in total ”.

Regulation 16A inserted

9. After regulation 16 of the principal regulations the following regulation is inserted—

Extension of prospecting licence

- “ 16A. (1) An application under section 45 (3) to extend the term of a prospecting licence shall be—
- (a) in the form No. 9 in the First Schedule; and
 - (b) accompanied by—
 - (i) the instrument of licence; and
 - (ii) the rent pursuant to regulation 12 (b) for a period of 12 months commencing on the day after the day on which the licence is due to expire.

(2) If the application is refused, a *pro rata* refund of rent will be paid to the applicant in respect of each whole month of the period for which rent has been paid commencing on the day on which the application is refused. ”.

Regulation 18 amended

10. Regulation 18 of the principal regulations is amended by deleting paragraphs (a) and (b) and substituting the following paragraphs—

- “ (a) the prescribed application fee; and
(b) the prescribed rent per square kilometre or part thereof. ”.

Regulation 20 amended

11. Regulation 20 of the principal regulations is amended by inserting after “1 000 tonnes of ore” the following—

- “ in total ”.

Regulation 23 repealed and regulations 23, 23A and 23B substituted

12. Regulation 23 of the principal regulations is repealed and the following regulations are substituted—

Notification of retained area

- “ 23. (1) The notification required under section 65 (3) shall be—
(a) in the form No. 7 in the First Schedule;
(b) lodged with the Director General of Mines; and
(c) accompanied by a map of the land that the holder desires shall remain subject to the exploration licence.

(2) The Director General of Mines shall cause a copy of the notification to be posted on the notice boards at the Department in Perth and at the office of the mining registrar for the mineral field or district thereof wherein the licence to which the notification relates is registered.

Extension of exploration licence

23A. (1) An application under section 61 to extend the term of an exploration licence shall—

- (a) be made during the final year of the term of the licence;
(b) be in the form No. 9 in the First Schedule; and
(c) be accompanied by—
(i) the instrument of licence;
(ii) the rent pursuant to regulation 18 (b) for a period of 12 months commencing on the day after the day on which the licence is due to expire; and
(iii) a detailed report of the exceptional circumstances giving rise to the application, a summary of work already carried out under the licence and a detailed programme of work proposed to be carried out under the licence.

(2) If the application is refused, a *pro rata* refund of rent will be paid to the applicant in respect of each whole month of the period for which rent has been paid commencing on the day on which the application is refused.

Agreement as to priority

23B. A written agreement referred to in section 105A (3) shall be lodged within 60 days of the day on which the applications for exploration licences were lodged. ”.

Regulation 25 amended

13. Regulation 25 of the principal regulations is amended by deleting paragraphs (a), (b) and (c) and substituting the following paragraphs—

- “ (a) the prescribed application fee;
(b) the prescribed rent per hectare or part thereof; and
(c) the prescribed survey fee. ”.

Regulation 29 repealed and regulation substituted

14. Regulation 29 of the principal regulations is repealed and the following regulation is substituted—

Application for renewal

- “ 29. (1) Application for renewal of a mining lease under section 78 shall be—
(a) made in the form No. 9 in the First Schedule;
(b) accompanied by—
(i) the duplicate instrument of lease (if issued); and
(ii) the rent pursuant to regulation 25 (b) for a period of 12 months commencing on the day after the day on which the term of the lease is due to expire.
and
(c) lodged at the office of the mining registrar at any time during the final year of the term of that lease.
(2) If the application is refused, a *pro rata* refund of rent will be paid to the applicant in respect of each whole month of the period for which rent has been paid commencing on the day on which the application is refused. ”.

Regulation 30 amended

15. Regulation 30 of the principal regulations is amended—

- (a) in paragraph (b) by inserting after “a” the following—
“ special ”;
(b) by deleting “or precious stones or both”; and
(c) by deleting “or prospecting licence, as the case requires.”.

Regulation 32 amended

16. Regulation 32 of the principal regulations is amended by deleting paragraph (c) and substituting the following—

- “ (c) the surrender of any portion of the lease, relating to all work done during the tenure of the lease on that surrendered portion,
or within such further period as the Minister may approve prior to the date due for filing of the reports. ”.

Regulation 34 amended

17. Regulation 34 of the principal regulations is amended by deleting paragraphs (a), (b) and (c) and substituting the following paragraphs—

- “ (a) the prescribed application fee;
(b) the prescribed rent per hectare or part thereof; and
(c) the prescribed survey fee. ”.

Regulation 36A inserted

18. After regulation 36 of the principal regulations the following regulation is inserted—

Application for renewal

“ 36A. (1) Application for renewal of a general purpose lease under section 88 shall be—

- (a) in the form No. 9 in the First Schedule;
 - (b) accompanied by—
 - (i) the duplicate instrument of lease (if issued); and
 - (ii) the rent pursuant to regulation 34 (b) for a period of 12 months commencing on the day after the day on which the term of the lease is due to expire;
- and
- (c) lodged at the office of the mining registrar at any time during the final year of the term of that lease.

(2) If the application is refused, a *pro rata* refund of rent will be paid to the applicant in respect of each whole month of the period for which rent has been paid commencing on the day on which the application is refused. ”.

Regulation 39 amended

19. Regulation 39 of the principal regulations is amended by deleting paragraphs (a) and (b) and substituting the following paragraphs—

- “ (a) the prescribed application fee; and
(b) the prescribed rent per hectare or part thereof. ”.

Regulation 42A inserted

20. After regulation 42 of the principal regulations the following regulation is inserted—

Application for renewal

“ 42A. (1) Application for renewal of a miscellaneous licence under section 91 shall be—

- (a) in the form No. 9 in the First Schedule;
 - (b) accompanied by—
 - (i) the instrument of licence; and
 - (ii) the rent pursuant to regulation 39 (b) for a period of 12 months commencing on the day after the day on which the licence is due to expire;
- and
- (c) lodged at the office of the mining registrar at any time during the final year of the term of that licence.

(2) If the application is refused, a *pro rata* refund of rent will be paid to the applicant in respect of each whole month of the period for which rent has been paid commencing on the day on which the application is refused. ”.

Regulation 45 amended

21. Regulation 45 of the principal regulations is amended in subregulation (3) by deleting “a fee of \$12.00” and substituting the following—

- “ the prescribed fee ”.

Regulation 51 repealed and regulations 51, 51A and 51B substituted

22. Regulation 51 of the principal regulations is repealed and the following regulations are substituted—

Application for restoration of tenement

“ 51. An application under section 97A for restoration of a mining tenement and cancellation of forfeiture shall be—

- (a) in the form No. 17 in the First Schedule;
- (b) accompanied by the prescribed fee;
- (c) accompanied by any outstanding rent payable by the applicant under the Act in relation to the forfeited tenement; and
- (d) lodged with the mining registrar within 30 days of the forfeiture of the mining tenement or such further period as the warden considers reasonable.

Notice of application for restoration

51A. Notice of an application made under section 97A (1) shall be in the form No. 17 in the First Schedule.

Objection to application

51B. A notice of objection to the granting of an application under section 97A (1) shall be—

- (a) in the form No. 16 in the First Schedule; and
- (b) lodged with the mining registrar within 30 days of the lodging of the application with the mining registrar or within such further time as the warden considers reasonable; and
- (c) accompanied by the prescribed fee. ”.

Regs. 54, 55, 56 and 57 repealed and regulations 54, 55 and 56 substituted

23. Regulations 54, 55, 56 and 57 of the principal regulations are repealed and the following regulations are substituted—

Application for certificate of exemption

“ 54. (1) An application for a certificate of exemption under section 102 shall be made in the form No. 18 in the First Schedule and lodged at the office of the mining registrar with the prescribed fee.

(2) An application for a certificate of exemption under section 102A shall be accompanied by the prescribed fee.

Time for lodging of objections to exemptions

55. The mining registrar shall, on the lodging of an application for a certificate of exemption under section 102—

- (a) set a date, being not less than 21 days from the date of that lodging, on or before which a person may on payment of the prescribed fee lodge an objection in the form No. 16 in the First Schedule against that application; and
- (b) post a copy of that application on the notice board at his office.

Determination of application

56. (1) Except as provided in subregulation (2), after the time allowed for lodging objections, the warden shall, in open court, receive evidence in support of the application for a certificate of exemption and of any objection to that application.

(2) Notwithstanding subregulation (1), in the absence of any objection being lodged, the warden may accept evidence by way of statutory declaration without requiring the applicant to attend the Court. ”.

Regulation 58 amended

24. Regulation 58 of the principal regulations is amended by inserting after "exemption" the following—

" under section 102 or 102A "

Regulation 59 amended

25. Regulation 59 of the principal regulations is amended by deleting "A mining tenement" and substituting the following—

" Land in respect of which a mining tenement is sought "

Regulation 61 amended

26. Regulation 61 of the principal regulations is amended by deleting "a mining tenement the boundaries of which are identical with any surveyed land" and substituting the following—

" land in respect of which a mining tenement is sought, the boundaries of which are identical with any surveyed land, "

Regulation 64 amended

27. Regulation 64 of the principal regulations is amended in subregulation (3) by inserting after "33" the following—

" , 41, 56A, 70 "

Regulation 64A inserted

28. After regulation 64 of the principal regulations the following regulation is inserted—

Notice of application for prospecting licence

" 64A. The notice required to be served on the owner and occupier under section 41 (2) of the Act shall be in the form No. 21 in the First Schedule. "

Regulation 70 repealed and regulations 70 and 70A substituted

29. Regulation 70 of the principal regulations is repealed and the following regulations are substituted—

Refund of rent on withdrawal or refusal of application

" 70. If an application for a mining tenement is withdrawn under regulation 69 or is refused, the applicant is entitled to a refund of the amount of all rent paid.

Amalgamation of secondary tenement

70A. (1) An application to amalgamate a secondary tenement under section 105 (2) shall—

- (a) be lodged with the mining registrar;
- (b) be accompanied by—
 - (i) a map of the secondary tenement; and
 - (ii) the instrument of licence;

and

- (c) state whether—
- (i) private land; or
 - (ii) land to which sections 24 and 25 apply,
- is affected.
- (2) Where private land is affected by an application the provisions of section 29 shall apply. ”.

Part V amended

30. Part V of the principal regulations is amended by inserting after Division 3 the following Division—

- “
- Division 3A—Fossicking*
- Means of fossicking**
- 74A. (1) The holder of a Miner's Right may fossick by means of hand tools only.
- (2) The holder of a Miner's Right shall not fossick by means of a metal detector, machinery or machine assisted tools, including vehicle drawn scrapers, graders and similar tools, on any land. ”.

Regulation 96 amended

31. Regulation 96 of the principal regulations is amended—
- (a) by inserting after the regulation designation “96.” the subregulation designation “(1)”;
 - (b) by inserting after “41, but” the following—
“ , subject to subregulation (2), ”; and
 - (c) by inserting the following subsection—
“ (2) Any person may, on payment of the prescribed fee, obtain at the Department at Perth a copy of the front page of a report in the form No. 5 in the First Schedule submitted to the Minister under regulation 16, 22 or 32. ”.

Regulation 107A inserted

32. After regulation 107 of the principal regulations the following regulation is inserted—

Dating and effect to be given to provisional lodgement

- “ 107A. (1) Where an instrument is accepted for provisional lodgement under section 103A (3) of the Act—
- (a) the time and date of lodgement shall be entered in the register as the time and date at which registration was effected but the word “provisional” shall be entered in the register next to the entry specifying that time and date; and
 - (b) an authorized officer shall, by notice in writing to the person who lodged the instrument, direct the person to ensure that the error or defect in the instrument is, subject to subregulation (4), corrected on or before the date specified in the notice.
- (2) Where a direction is given under subregulation (1) (b) in relation to an instrument—
- (a) if the direction is complied with on or before the date specified in the notice containing the direction, the word “provisional” shall be deleted from the register;

- (b) if the direction is not complied with on or before that date the instrument shall be deemed to have been rejected and the register shall be so endorsed.

(3) If the word "provisional" is entered in the register next to an entry specifying a time and date in relation to a time and date of lodgement of an instrument, the instrument shall be taken not to have been registered but where the word "provisional" is deleted from the register under subregulation (2) (a), the instrument shall be taken to be registered and to have been registered from and including the time and date specified in the register under subregulation (1) (a).

(4) An authorized officer—

- (a) may, for reasonable cause, extend the time for the correction of any error or defect provided the request to extend is made, in writing by or on behalf of the person who lodged the instrument, before the date specified in the notice; and
- (b) shall, by notice in writing to the person who requested the extension, advise whether an extension has been granted. "

Regulation 109 repealed and a regulation substituted

33. Regulation 109 of the principal regulations is repealed and the following regulation is substituted—

Fees and rents

" 109. Fees and rents payable under the Act are prescribed in the Second Schedule. "

Regulation 112A inserted

34. After regulation 112 of the principal regulations the following regulation is inserted—

Discharge of security

" 112A. An application for discharge of a security under section 126 (7) shall be accompanied by—

- (a) a statutory declaration of the person subscribing, stating the extent to which that person has complied with the conditions under which the mining tenement was granted and with the provisions of the Act and regulations and giving details of the nature of that compliance; and
- (b) a map showing—
 - (i) the location of the workings of the person subscribing in relation to the mining tenement;
 - (ii) the boundaries of the workings; and
 - (iii) the access routes to the workings. "

First Schedule amended

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

(a) in the Schedule of Forms—

- (i) by inserting after item 3 the following item—

" 3A. Claim for compensation and consent for an informal determination by the warden. "
- (ii) by deleting item 9 and substituting the following item—

" 9. Application for extension of term/renewal of a mining tenement. ";
- (iii) by deleting item 17 and substituting the following—

" 17. Application for restoration. "; and
- (iv) by inserting after item 21 the following item—

" 21A. Report of approved surveyor. ";

FORM No. 1
Western Australia
Mining Act 1978
(Sec 20 Reg. 3)



MINER'S RIGHT

MINER'S RIGHT

NOT TRANSFERABLE

To whom Issued

Issued to

(Name in Full)

under the provisions of the Mining Act 1978.

By whom Issued

Place of Issue

Place of Issue.....

Date of Issue.....

Date of Issue.....

Signature of Issuing Officer

(note reverse)

(b) by deleting form No. 1 and substituting the following form—

10

Reverse of form

NOTE: This miner's right is issued under section 20 of the *Mining Act 1978*. It is your responsibility to ascertain your rights and obligations under that section. Information in respect of those rights and obligations may be obtained from any office of the Department of Mines.

”;

- (c) in form No. 3—
 - (i) by deleting “the holder of this permit of” and substituting the following—
“ the holder of this permit or ”;
 - (ii) by deleting “This Permit EXPIRES on the _____ day of _____, 19 _____” and substituting the following—
“ This permit EXPIRES on the _____ day of _____ 19 _____ but if the holder of the permit marks out and applies for a mining tenement of any part of the land described in paragraph (b), the permit is deemed to continue in force for the purpose only of repairing or maintaining the marks so set up and the notices posted thereon, until such time as the application for the mining tenement is determined. ”; and
 - (iii) by inserting at the end of the form the following—
“ The holder of a permit is liable to pay compensation for any loss or damage arising from any entry upon the land affected in pursuance of this permit. ”;
- (d) by inserting after form No. 3 the following form—

“ FORM 3A WESTERN AUSTRALIA
Mining Act 1978
(Sec. 123(3)(a), Reg. 10A)

CLAIM FOR COMPENSATION AND CONSENT FOR AN INFORMAL DETERMINATION BY THE WARDEN

	No.
(a) State whether pastoral lease, Crown grant or other designation (b) Number of lease lot, reserve etc. (c) Name of property (if applicable)	Details of land affected (a) _____ (b) _____ _____ (c) _____
(d) Full name and address of owner of land (e) Full name and address of occupier (if applicable)	Owner and Occupier (d) _____ (e) _____
(f) Brief details of loss or damage claimed	(f) _____
(g) Here state owner, or owner and occupier, or occupier (as applicable) (h) Full name of person liable for compensation (i) Full address of person liable for compensation	WE, the undersigned, being the (g) _____ of the land referred to above and (h) _____ of (i). acknowledge that the claimant is entitled to compensation for loss or damages resulting from mining and that an agreement as to the amount of such compensation has not been reached. The parties herein therefore consent to a determination of the amount of compensation being made by the warden in accordance with section 123, (3)(a)
(j) Signature of owner of land (k) Signature of occupier of land (l) Signature of person liable for compensation	(j) (k) (l)
	Received aton (Mining Registrar)

(NOTE: The owner or occupier of the land will be required to produce proof of ownership or right of occupancy of the land, either by producing the title, a recent title search, or the document/s under which his rights are confirmed.)

”

12

(e) by deleting form Nos. 4, 5 and 6 and substituting the following forms—

“ FORM 4
Instrument
of Licence

WESTERN AUSTRALIA
Mining Act 1978
(Sec. 116 Reg. 13)

**PROSPECTING LICENCE
No.**

(a) Name and address of
holder and number of
shares

(a)

is/are subject to the provisions of the *Mining Act 1978* and to the conditions stated
in the Schedule hereunder, authorized in accordance with section 48 of the Act to
prospect the land the subject of this licence situated at

(b) Locality

(b)

in the

(c) Mineral Field

(c)

containing approximately

Mineral Field

(d) Area

(d)

hectares

for a term of 2 years commencing on the date of grant of the licence.

(e) Date Licence granted

(e)

(f) Shire

(f)

(g) Plan

(g)

.....
Mining Registrar

NOTE

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the
rights granted herein must first ensure that the necessary consents and permission have been obtained
and compensation has been agreed to or determined in respect to certain Crown Land, Public Reserves,
etc., private land and where the lawful rights of other land users is concerned.

For schedule of endorsements/conditions see reverse of form.

Reverse of form

Schedule of Endorsements/Conditions:

Form 5 WESTERN AUSTRALIA
Mining Act, 1978
(Secs. 51, 68 & 82
Regs. 16, 22 & 32)

REPORT ON OPERATIONS ON MINING TENEMENT

(To be completed in accordance with the instructions on the reverse hereof)

Tick box
applicable

<input type="checkbox"/> Annual	<input type="checkbox"/> Final	<input type="checkbox"/> Surrender, Report for the
Period from		to

Details of Mining Tenement:	
Type	Number

Brief
summary of
operations
for each if
applicable

<u>SUMMARY OF OPERATIONS AND EXPENDITURE:</u>	
<u>General Prospecting:</u> (Specify: Costeaning No; Metal detecting man days: Sampling No, etc)	Costs \$
<u>Remote Sensing & Airborne Surveys:</u> (Specify: Photography; Surveys Line kms; etc)	Costs \$
<u>Ground Surveys:</u> (Specify: Type, Line kms; etc)	Costs \$
<u>Drilling:</u> (Specify: Type, No of holes, Metres; etc)	Costs \$
<u>Mining or Development:</u> (Specify: Development; Tonnes mined; etc)	Costs \$
<u>Overheads:</u> (Specify: Report preparation; Office studies; etc)	Costs \$
<u>Other Costs:</u> (Specify: Labour own/hired; Plant hire; Transportation, Construction, Fuel; etc)	Costs \$
TOTAL EXPENDITURE \$	

Note: A copy of this page of the report may be obtained by any person on the payment of the prescribed fee—Regulation 96(2)

REPORT ON OPERATIONS ON MINING TENEMENT

Form 5

Full name and address of holder

Holder/s

[Empty box for Holder/s details]

List here the detailed reports attached

Attached Reports

[Empty box for Attached Reports details]

I certify that the information supplied in this report is a true statement of the operations carried out and moneys expended on the abovementioned mining tenement during the period specified as required under the Mining Act, 1978 and the Regulations thereunder.

DATED this _____ day of _____ 19____

Signature of holder or agent.....

OFFICE USE		This Report received atm. on by	
------------	--	--	--

Reverse of form

INSTRUCTIONS:

1. Reports shall be lodged at the Head office of the Department of Mines at 66 Adelaide Terrace, Perth, WA 6000.
2. Page one of the report shall be completed to indicate.
 - (i) the type of report;
—whether annual, final, (forfeiture), or surrender including partial surrender
 - (ii) the period from which the report covers;
—from the anniversary date to the anniversary date, anniversary date to the final (death) date, anniversary date to the surrender date etc;
 - (iii) the type and number of mining tenement affected;
—whether a prospecting licence, exploration licence, mining lease etc and number;
 - (iv) the nature of operations carried out during the period of the report (short summary only);
—it may be necessary to complete more than one heading;
 - (v) the expenditure incurred for each type of operation together with the total amount expended on the mining tenement.
3. All attached reports shall:
 - (a) Be in a form suitable for microfilming, and
 - (b) Where applicable include the following—
 - (i) methods of exploration;
 - (ii) a complete record for all geological, geophysical, geochemical and other technical investigations carried out by or on behalf of the tenement holder;
 - (iii) a complete record of all drill holes and excavations;
 - (iv) details of the nature of material tested and all assay results;
 - (v) a summary of reserves in a form as recommended by the AIMM;
 - (vi) tonnage, grade and value of any ore mined;
 - (vii) statement of expenditure; and
 - (viii) details of any amount claimed in lieu of wages.
4. All attached reports shall include a title, name of joint holder responsible for operations on the tenement, tenement information, date and a complete table of contents.
5. All maps and sections shall be related to the Australian Map Grid or to known surveyed points.

16

FORM 6
Instrument
of Licence

WESTERN AUSTRALIA
Mining Act 1978
(Sec. 116 Reg. 19)

EXPLORATION LICENCE

- | | | |
|---|------------|--|
| (a) Name and address of holder and number of shares | No.
(a) | is/are subject to the provisions of the <i>Mining Act 1978</i> and to the conditions stated in the Schedule hereunder, authorized in accordance with section 66 of the Act to explore the land the subject of this licence situated at |
| (b) Locality | (b) | in the |
| (c) Mineral Field | (c) | Mineral Field |
| (d) Area | (d) | containing approximately square kilometres for a term of 5 years commencing on the date of grant of the licence. |
| (e) Date Licence granted | (e) | |
| (f) Shire | (f) | |
| (g) Plan | (g) | |

.....
Mining Registrar

NOTE

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted herein must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown Land, Public Reserves, etc., private land and where the lawful rights of other land users is concerned.

For schedule of endorsements/conditions see reverse of form.

Reverse of form

Schedule of Endorsements/Conditions:

- (f) in form No. 8—
- (i) by deleting "(Reg. 26)" and substituting the following—
" (Sec. 116, Reg. 26) ";
 - (ii) by deleting "a fine not exceeding one thousand dollars" and substituting the following—
" a penalty not exceeding \$1 000 ";
 - (iii) under the heading "SIXTH SCHEDULE" by deleting "Any further conditions or stipulations" and substituting the following—
" Any further endorsements/conditions or stipulations ";
 - (iv) by deleting the heading "ENDORSEMENTS" and substituting the following—
" NOTE "; and
 - (v) by deleting "Minister for Mines" wherever it occurs and substituting the following—
" Minister ";

(g) by deleting form No. 9 and substituting the following form—

“ FORM 9 WESTERN AUSTRALIA
Mining Act 1978
(Secs. 45, 61, 78, 88, 91)
(Regs. 16A, 23A, 29, 36A, 42A)

**APPLICATION FOR EXTENSION OF
TERM/RENEWAL OF A MINING
TENEMENT**

No.

(a) Type of Tenement	Details of mining tenement (a) _____ (b) _____ (c) _____ (d) _____
(b) Number	
(c) Mineral field	
(d) Expiry date	
(e) Full name and address of holder(s)	Holder (e) _____

(f) Signature of holder or agent THE HOLDER of the abovementioned mining tenement hereby applies for extension/renewal thereof for a further period of _____ years.

DATED THIS _____ day of _____ 19 _____

Signed (f).....

OFFICE USE	Received at.....m. on..... together with rent of \$ for the year ending/...../..... (Mining Registrar)
---------------	---

- NOTES: 1. This application is to be accompanied by the lease instrument or licence document, as applicable.
2. Reporting obligations under the Regulations must be complied with to enable consideration of this application.
3. If this application is for an extension of an exploration licence a detailed report of the exceptional circumstances giving rise to the application, a summary of work already carried out under the licence and a detailed programme of work proposed to be carried out under the licence must be attached.

”

- (h) in form No. 10—
- (i) by deleting “(Reg. 35)” and substituting the following—
“ (Sec. 116, Reg. 35) ”;
 - (ii) by deleting “Minister for Mines” wherever it occurs and substituting the following—
“ Minister ”;
 - (iii) by deleting “a term commencing on the date set out in the Fifth Schedule to this lease and (subject as hereinafter and in the Mining Act 1978 provided) terminating on the day on which the Mining Lease described in the Sixth Schedule to this lease is surrendered, forfeited or expires” and substituting the following—
“ a term specified in the Fifth Schedule to this lease and commencing on the date set out in the Sixth Schedule to this lease ”;
 - (iv) by deleting the Fifth, Sixth and Seventh Schedules and substituting the following—
“
FIFTH SCHEDULE
The term of the lease is
SIXTH SCHEDULE
Date of commencement of the lease is
SEVENTH SCHEDULE
Any further endorsements/conditions or stipulations ”; and
 - (v) by deleting the heading “ENDORSEMENTS” and substituting the following—
“ NOTE ”;
- (i) by deleting form No. 11 and substituting the following form—

“
Form 11
Instrument
of Licence

WESTERN AUSTRALIA
Mining Act 1978
(Sec. 116 Reg. 42)

MISCELLANEOUS LICENCE

- | | |
|---|--|
| (a) Name and address of holder and number of shares | No.
(a) |
| (b) Purpose of Licence | is/are subject to the provisions of the Mining Act 1978 and to the conditions stated in the Schedule hereunder, authorized in accordance with Section 94 of the Act to:
(b) |
| (c) Locality | situated at
(c) |
| (d) Mineral Field | (d) in the
Mineral Field and |
| (e) Area | containing approximately
(e) hectares |
| (f) Date Licence granted | for a term of 5 years commencing on the date of grant of the licence
(f) |
| (g) Shire | (g) |
| (h) Plan | (h) |

.....
Mining Registrar

NOTE

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted herein must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown Land, Public Reserves, etc., private land and where the lawful rights of other land users is concerned.

For Schedule of Endorsements/Conditions see reverse of form.

Reverse of form

Schedule of Endorsements/Conditions:

(j) in form No. 12 by inserting in the appropriate alphabetical position the following—

“ LODGING PARTY

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

(g)

[Empty rectangular box for lodging party details]

”;

(k) in form No. 14 by inserting in the appropriate alphabetical position the following—

“ LODGING PARTY

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

(h)

[Empty rectangular box for lodging party details]

”;

(l) in form No. 16 by deleting “(Secs. 42, 59, 75, Regs. 49, 67, 120)” and substituting the following—

“ (Secs. 42, 59, 75, 97A, Regs. 49, 51B, 55, 67, 120A) ”;

(m) by deleting form No. 17 and substituting the following form—

Form 17

WESTERN AUSTRALIA
Mining Act 1978
(s. 97A, Regs. 51, 51A)

APPLICATION FOR RESTORATION No.

(a) Type
(b) Number
(c) Mineral field

Details of Mining Tenement

(a)

(b)

(c)

(d) Full name and address of each applicant

Applicant

(d)

(e) Reason for forfeiture
(f) Date of forfeiture

Application made for the restoration of the abovementioned mining tenement which was forfeited for the following reason—

(e)

on the (f)

This application is made on the following grounds—

(g)

(g)

(h) Signature of applicant

DATED this..... day of.....19.....

(h).....

O F F I C E U S E	A NOTICE OF OBJECTION to this application may be lodged at the Mining Registrar's office at..... on or before the..... day of..... 19.....and the hearing will take place on the.....day of.....19.....	
	Received atm on with fee of \$together with the outstanding rent of..... for the period ending..... (Mining Registrar)	Receipt No.

(n) by deleting form No. 18 and substituting the following form—

“ Form 18

WESTERN AUSTRALIA
Mining Act 1978
(Sec. 102 Reg. 54)

APPLICATION FOR EXEMPTION No.

(a) Type (b) Number (c) Mineral Field	Details of Mining Tenement (a) _____ (b) _____ (c) _____
(d) Full name and address of each holder	Holder (d) _____
(e) Amount of expenditure for which exemption is sought (f) Fraction of annual expenditure condition (g) Expiry date of period to which exemption relates (h) Reasons for exemption	Exemption Details (e) (\$) _____ (f) _____ /12ths (g)19..... (h) _____

APPLICATION is made for exemption from the expenditure conditions applicable to the abovementioned mining tenement.
DATED this _____ day of _____ 19_____

(i) Signature of holder or authorized agent (i).....

O F F I C E U S E	OBJECTIONS to this application may be lodged at the Mining Registrar's office at..... on or before the..... day of..... 19..... and the hearing will take place on the..... day of..... 19.....	
	Received atm on with fee of \$..... _____ (Mining Registrar)	;

(o) in form No. 19—

(i) by deleting “(Sec. 102, Reg. 58) and substituting the following—

“ (Secs. 102 and 102A, Reg. 58) ”; and

(ii) by deleting “year” in both places where it occurs and substituting the following—

“ year/s ”;

(p) in form No. 20 by inserting after “applicant” in item (f) the following—

“ or agent ”;

(q) by deleting form No. 21 and substituting the following form—

Form 21

WESTERN AUSTRALIA
Mining Act, 1978
(Secs. 41, 58, 74, 86, 91 Reg. 64)

APPLICATION FOR MINING TENEMENT

- (a) Type of tenement
- (b) Time & Date marked out (where applicable)
- (c) Mineral Field
- APPLICANT:
- (d) Full name
- (e) Address
- (f) No. of shares
- (g) Total No. of shares

(a)	No...../.....
(b) a.m./p.m. / /	(c)
(d) & (e)	(f) Shares
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
(g) Total	

- DESCRIPTION OF GROUND APPLIED FOR:
- (h) Locality
- (i) Datum Peg or Starting Point
- (j) Boundaries

(h).....	(g) Total
(i).....	
(j).....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
.....	
(k) Area (ha or km ²)	(l) Signature of applicant or agent
(l)..... DATE.....	

- (k) Area (ha or km²)
- (l) Signature of applicant or agent

OBJECTIONS to this application may be lodged at the Mining Registrar's office at..... on or before the..... day of..... 19..... and the hearing will take place on the..... day of..... 19.....

OFFICE USE	FEES PAID	\$	¢	Receipt No:
	Application			
	Rent			SHIRE:
	Survey Fee			
TOTAL				Map Ref.
Received at.....m.				Plan.....
on.....				
(Mining Registrar)				Scale.....

NOTES

This application shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for. An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s)—Section 58(1)(b). ”;

(r) in form No. 22 by inserting in the appropriate alphabetical position the following—

“ LODGING PARTY

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

(g)

”;

(s) in form No. 23 by inserting in the appropriate alphabetical position the following—

“ LODGING PARTY

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

(k)

”;

(t) in form No. 24—

(i) by deleting “Caveator signs here” and substituting the following—

“ Caveator or agent signs here ”; and

(ii) by inserting in the appropriate alphabetical position the following—

“ LODGING PARTY

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

(k)

”;

(u) in form No. 25 by inserting in the appropriate alphabetical position the following—

“ LODGING PARTY

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

(c)

”;

(v) in form No. 28 by inserting in the appropriate alphabetical position the following—

“ LODGING PARTY

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

(i)

”;

(w) in form No. 31 by deleting all that part of the form below “DATED this day of 19 ” and substituting the following—

“ (c) Signature of donor: Signed (c)..... in the presence of
(d) Signature of witness: Signed (d).....
(e) Signature of donee: Signed (e).....

OFFICE USE			
------------	--	--	--

- (x) in form No. 32—
 - (i) by deleting “sole”;
 - (ii) by deleting “Minister for Mines” and substituting the following—
“ Minister ”;
 - and
 - (iii) by inserting at the end of the form the following—

“

O F F I C E U S E		
---	--	--

”;

- (y) in form No. 34—
 - (i) by inserting after paragraph (e) the following—
“ (f) Nature of (f)
relief
sought ”; and
 - (ii) by deleting “128” and substituting the following—
“ 126 ”; and
- (z) in form No. 41 by deleting “THE PRINCIPAL REGISTRAR, PERTH or to”.

Second Schedule amended

36. The Second Schedule to the principal regulations is amended—

- (a) by deleting item 3 and substituting the following item—
“ 3. COPY of—
Mining tenement Register
(per tenement).....Reg. 106.....3.50
Dealing affecting tenement
(per dealing).....Reg. 106.....3.50 ”;
- (b) by deleting item 4 and substituting the following item—
“ 4. Exemption from Reg. 54 8.00
expenditure
conditions—per
1/12th of annual
expenditure commitment ”;
- (c) in item 6 by deleting “Regs. 49, 67, 109, 120” and substituting the following—
“ Regs. 49, 51B, 55, 67, 120A ”;

(d) by deleting item 10 and substituting the following item—

“ 10. REGISTRATION OF DEALINGS
(Per tenement affected where applicable)—

Agreement	Reg. 110	13.50
Application for copy document.....	Reg. 105	13.50
Caveat	Sec. 121	13.50
Devolution.....	Reg. 102	13.50
Discharge/Withdrawal of any encumbrance	Regs. 83, 110	3.50
Injunction.....	Reg. 109	13.50
Judgment/Order of Court.....	Reg. 109	13.50
Mortgage	Reg. 109	13.50
Power of Attorney— each	Reg. 108	13.50
Seizure-Notice of.....	Reg. 132	13.50
Sub-lease of Mining Tenement	Reg. 110	13.50
Transfer—Mining Tenement	Reg. 75	13.50
—Mortgage.....	Reg. 84	13.50

(e) in item 11 by deleting “Re-instatement” and substituting the following—

“ Restoration ”; and

(f) by inserting after item 11 the following item—

“ 11A. Search of front page of
form 5.....Reg. 96 (2) 3.50 ”.

Miscellaneous amendments

37. The principal regulations are amended by deleting “Under Secretary” or “Under Secretary for Mines” wherever it occurs in the provisions and forms referred to in the Table and substituting in each case the following—

“ Director General of Mines ”.

TABLE

(Regulation 37)

Substitution of “Director General of Mines” for “Under Secretary” or “Under Secretary for Mines”

Regulations 36 (d), 41 (d), 85, 95 (2); Forms 7, 10.

By His Excellency’s Command,
G. PEARCE,
Clerk of the Council.