MP302*

Mining Act 1978

Mining Amendment Regulations 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment Regulations 2013*.

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 on which the *Mining Amendment Act 2012* section 3 comes into operation.

3. Regulations amended

These regulations amend the *Mining Regulations 1981*.

4. Regulation 4 amended

Delete regulation 4(a) and insert:

(a) under section 40D(1)(c); or

5. Part IIA heading amended

In the heading to Part IIA delete "**section 20A**" and insert:

section 40E

6. Regulation 4A amended

In regulation 4A in the definition of ***permit*** delete "section 20A;" and insert:

section 40E;

7. Regulation 4B amended

In regulation 4B delete "section 20A(1)" and insert:

section 40E(1)

Note: The heading to amended regulation 4B is to read:

Prescribed office (Act s. 40E(1))

8. Regulation 4C amended

In regulation 4C delete "section 20A(6)(b)" and insert:

section 40E(6)(b)

Note: The heading to amended regulation 4C is to read:

Prescribed depth (Act s. 40E(6)(b))

9. Regulation 4L amended

In regulation 4L(1)(a) delete "section 20A(5)" and insert:

section 40E(5)

10. Regulation 7 amended

(1) In regulation 7(1) delete "application or within any extension of that period under subregulation (3)." and insert:

application.

(2) In regulation 7(2) delete "subregulation (3)," and insert:

section 162B of the Act,

(3) Delete regulation 7(3).

11. Regulation 16 amended

(1) Delete regulation 16(1)(a) and (b) and insert:

(a) within 60 days after each anniversary date of the commencement of the term of the licence; and

(b) within 60 days after the surrender, forfeiture, expiry or other cancellation of the licence.

(2) Delete regulation 16(1a).

12. Regulation 16B amended

In regulation 16B(1)(c)(i) delete “licence; and” and insert:

licence (if issued); and

13. Regulation 22 amended

(1) Delete regulation 22(1)(a) and (b) and insert:

(a) within 60 days after each anniversary date of the commencement of the term of the licence; and

(b) within 60 days after the surrender, forfeiture, expiry or other cancellation of the licence.

(2) Delete regulation 22(1a).

14. Regulations 22A and 22B deleted

Delete regulations 22A and 22B.

15. Regulation 23A amended

In regulation 23A(1)(c)(i) delete “licence; and” and insert:

licence (if issued); and

16. Regulation 23E amended

(1) Delete regulation 23E(1)(a) and (b) and insert:

(a) within 60 days after each anniversary date of the commencement of the term of the licence; and

(b) within 60 days after the surrender, forfeiture, expiry or other cancellation of the licence.

(2) Delete regulation 23E(1a).

17. Regulation 23F amended

In regulation 23F(1)(b)(iii) delete “licence; and” and insert:

licence (if issued); and

18. Regulation 32 amended

(1) Delete regulation 32(1)(a) and (b) and insert:

(a) within 60 days after each anniversary date of the commencement of the term of the lease; and

(b) within 60 days after the surrender, forfeiture, expiry or other cancellation of the lease.

(2) Delete regulation 32(1a).

19. Regulation 37 amended

(1) Delete regulation 37(1).

(2) In regulation 37(3) delete "or within any extension of that period under subregulation (4),".

(3) Delete regulation 37(4).

Note: The heading to amended regulation 37 is to read:

Application

20. Regulation 42A amended

In regulation 42A(1)(b)(i) delete "licence; and" and insert:

licence (if issued); and

21. Regulation 51 amended

Delete regulation 51(d) and insert:

(d) made within 30 days of the forfeiture of the mining tenement.

22. Regulation 54 amended

(1) In regulation 54(3) delete "application or within any extension of that period under subregulation (4)." and insert:

application.

(2) Delete regulation 54(4).

23. Regulation 59 amended

Delete regulation 59(4).

24. Regulation 64 amended

(1) Delete regulation 64(1) and insert:

(1) Application for a mining tenement shall be in the form of Form 21 and lodged within 10 days of marking out.

(2) Delete regulation 64(7).

25. Regulation 64A amended

(1) Delete regulation 64A(1)(b) and insert:

(b) served by the applicant within 14 days of the lodging of the application to which the notice relates.

(2) In regulation 64A(2) delete "or within any extension of that period under subregulation (3),".

(3) Delete regulation 64A(3).

26. Regulation 70A amended

In regulation 70A(1)(b)(ii) delete "licence;" and insert:

licence (if issued);

27. Regulation 101 amended

In regulation 101 delete "section 20(2)(e)" and insert:

section 40D(1)(f)

Note: The heading to amended regulation 101 is to read:

Manner of camping (Act s. 40D(1)(f))

28. Regulation 104 deleted

Delete regulation 104.

29. Regulation 120A amended

Delete regulation 120A(3b).

30. Schedule 1 Form 1 amended

In Schedule 1 Form 1:

(a) delete "(Sec. 20 Reg. 3)" and insert:

(Sec. 40C Reg. 3)

(b) in the Note delete "section 20" and insert:

section 40C

31. Schedule 1 Form 1A amended

In Schedule 1 Form 1A —

(a) delete "(Sec. 20A Reg. 4D)" and insert:

(Sec. 40E Reg. 4D)

(b) delete "**SECTION 20A**" and insert:

SECTION 40E

Note: The heading to amended Form 1A is to read:

Application for permit under section 40E

32. Schedule 2 amended

(1) In Schedule 2 item 9(e) delete "section 20A" and insert:

section 40E

(2) In Schedule 2 after item 15(a) insert:

(ba)	instrument of licence	s. 116	33.90

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.