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**MINERALS AND PETROLEUM**

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MP301\*

Mining Act 1978

**Mining Amendment Regulations (No. 4) 2011**

Made by the Lieutenant-Governor and Administrator in Executive Council.

**1. Citation**

These regulations are the *Mining Amendment Regulations (No. 4) 2011*.

**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 1 July 2011.

**3. Regulations amended**

These regulations amend the *Mining Regulations 1981*.

**4. Regulation 4D amended**

In regulation 4D(2) delete “item 2 of Schedule 2.” and insert:

Schedule 2 item 9.

**5. Regulation 16C amended**

In regulation 16C(2) delete “item 2A of Schedule 2.” and insert:

Schedule 2 item 10.

**6. Regulation 23BA amended**

In regulation 23BA(2) delete “item 2A of Schedule 2.” and insert:

Schedule 2 item 10.

**7. Regulation 25B amended**

In regulation 25B delete “item 2B of Schedule 2.” and insert:

Schedule 2 item 11.

**8. Regulation 64 amended**

- (1) In regulation 64(1b) delete “item 2 of Schedule 2.” and insert:

Schedule 2 item 9.

- (2) Delete regulation 64(1c) and insert:

- (1C) An application for a mining tenement of particular land must be accompanied by the annual rent set out in whichever of Schedule 2 items 1 to 8 that applies to that kind of mining tenement.

**9. Regulation 69A deleted**

Delete regulation 69A.

**10. Regulation 84D amended**

In regulation 84D delete “item 3 of Schedule 2” and insert:

Schedule 2 item 12

**11. Regulation 109 amended**

In regulation 109(3) delete “rent, including GST,” and insert:

rent

**12. Regulation 109A deleted**

Delete regulation 109A.

**13. Regulation 165 amended**

- (1) In regulation 165(6) delete “Fourth Schedule.” and insert:

Schedule 4.

- (2) In regulation 165(7)(f) delete “item 13.” and insert:

item 22.

#### 14. Schedule 2 replaced

Delete Schedule 2 and insert:

### Schedule 2 — Fees and rents

[r. 2, 4D(2), 16C(2), 23BA(2), 25B, 28A(1), 64(1b) and (1c), 84D, 109(1) and (3), 121(2), 163(2) and (4) and 165(7)(f)]

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|----|--|--------|
| 1. | Annual rent of existing exploration licence per square kilometre or part of one square kilometre —   |        |
|    | (a) for years 1 to 7 of the term of the licence .....  | 43.50  |
|    | (b) for year 8, and each subsequent year, of the term of the licence .....   | 146.50 |
| 2. | Annual rent of graticular exploration licence —  |        |
|    | (a) one block licence applied for after 1 July 1999 .....  | 273.00 |
|    | (b) all other licences, per block —  |        |
|    | (i) for years 1 to 3 of the term of the licence .....  | 113.50 |
|    | (ii) for years 4 and 5 of the term of the licence .....  | 176.50 |
|    | (iii) for years 6 and 7 of the term of the licence .....   | 239.50 |
|    | (iv) for year 8, and each subsequent year, of the term of the licence .....  | 453.50 |
| 3. | Annual rent of general purpose lease per hectare or part of one hectare .....  | 13.30  |
| 4. | Annual rent of lease granted under the <i>Mining Act 1904</i> , either pursuant to or continued in force by virtue of an agreement scheduled to, incorporated in, or appearing in an Act or a variation of such an agreement, per hectare or part of one hectare ..... | 15.00  |
| 5. | Annual rent of mining lease per hectare or part of one hectare .....   | 15.00  |
| 6. | Annual rent of miscellaneous licence per hectare or part of one hectare —  |        |
|    | (a) for the purpose referred to in regulation 42B(ia) .....  | 0.50   |
|    | (b) for any other purpose .....  | 13.30  |

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7.	Annual rent of prospecting licence per hectare or part of one hectare (minimum \$22.00) .....	2.20
8.	Annual rent of retention licence per hectare or part of one hectare .....	6.50
9.	Application fee for —	
	(a) exploration licence —	
	(i) one block .....	275.00
	(ii) more than one block .....	1 175.00
	(b) general purpose lease .....	395.00
	(c) mining lease .....	395.00
	(d) miscellaneous licence .....	395.00
	(e) permit under section 20A ..... r. 4D(2)	25.00
	(f) prospecting licence .....	260.00
	(g) retention licence .....	665.00
10.	Application fee for approval of retention status .....	250.00
11.	Copy of all or part of document or report (per copy) ..... r. 25B	8.00
12.	Copy of —	
	(a) entry in the register (per tenement) ..... r. 84D	8.00
	(b) dealing or other instrument (per tenement) ..... r. 84D	8.00
13.	Certification of a document ..... r. 109	6.60
14.	Exemption from expenditure conditions —	
	(a) one year exemption for —	
	(i) prospecting licence ..... r. 54	335.00
	(ii) exploration licence ..... r. 54	380.00
	(iii) mining lease ..... r. 54	465.00
	(b) 5 year exemption for mining lease ..... r. 54	2 325.00
15.	Issue of —	
	(a) duplicate instrument of lease ..... r. 83	33.00
	(b) miner's right ..... s. 20	25.00
16.	Partial surrender of a mining tenement ..... r. 45	100.00
17.	Application for permit to enter private land (per lot or location affected — minimum \$26.40) ..... r. 5	6.60
18.	Private land — application to bring under the Act ..... r. 8	21.00

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19.	Registration or recording of instruments (per tenement affected where applicable) —	
(a)	application for copy document ..... r. 105	100.00
(b)	caveat ..... r. 76	100.00
(c)	devolution ..... r. 102	100.00
(d)	discharge/withdrawal of any encumbrance ..... r. 76A, 83	6.60
(e)	injunction ..... r. 109	100.00
(f)	judgment/order of court ..... r. 109	100.00
(g)	mortgage ..... r. 77	100.00
(h)	power of attorney — each ..... r. 108	100.00
(i)	seizure — notice of ..... r. 132	100.00
(j)	tax memorial ..... r. 84A	100.00
(k)	transfer —	
(i)	mining tenement ..... r. 75	100.00
(ii)	mortgage ..... r. 84	100.00
(l)	withdrawal of memorial ..... r. 84A	6.60
20.	Restoration of mining tenement ..... r. 51	203.00
21.	Copy of front page of Form 5, together with either Attachment 1 — “Summary of Mineral Exploration/Mining Activities” or Attachment 2 — “Summary of Prospecting and/or Small Scale Mining Activities”, as the case may be ..... r. 96(3)	8.00
22.	Fees relating to proceedings under Parts VII and VIII —	
(a)	for entering a plaint or an application, excluding service fee, but including the issue of summons for each respondent and all necessary witness summonses ....	56.50
(b)	response and all necessary witness summonses .....	39.00
(c)	all necessary applications and affidavits .....	5.70
(d)	order made by warden including an order for an injunction .....	17.00
(e)	copy of —	
(i)	evidence — per page .....	8.00
(ii)	a judgment, decision or order — per page .....	1.10

\$

- (f)    taxation of bill of costs ..... \$0.05 in each amount of \$1.00 on amount of lodged bill (minimum fee \$10.00) — however where the lodged bill exceeds \$1 000 the fee is reduced to \$0.025 in each \$1.00 for the excess, plus \$50.00

By Command of the Lieutenant-Governor and Administrator,

G. MOORE, Clerk of the Executive Council.

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