

MP301\*

Mining Act 1978

## Mining Amendment Regulations (No. 3) 2004

Made by the Governor in Executive Council.

### 1. Citation

These regulations may be cited as the *Mining Amendment Regulations (No. 3) 2004*.

### 2. Commencement

These regulations come into operation on 1 July 2005.

### 3. The regulations amended

The amendments in these regulations are to the *Mining Regulations 1981*\*.

[\* Reprinted as at 25 July 2002.

For amendments to 8 July 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 250, and Gazette 25 June 2004.*]

### 4. Regulation 86 amended

- (1) After regulation 86(2) the following subregulations are inserted —

“

- (2a) In the Table to this regulation —

“**Amount A**” means —

- (a) for the year 1 July 2005 to 30 June 2006,  
34 cents;
- (b) for the year 1 July 2006 to 30 June 2007,  
38 cents;

- (c) for the year 1 July 2007 to 30 June 2008, 42 cents;
- (d) for the year 1 July 2008 to 30 June 2009, 46 cents;
- (e) for the year 1 July 2009 to 30 June 2010, 50 cents;
- (f) for the 5 year period beginning on 1 July 2010 and ending on 30 June 2015 and for each succeeding 5 year period (the **“relevant period”**), the amount calculated under subregulation (2b) or provided for in subregulation (2d), as the case requires;

**“Amount B”** means —

- (a) for the year 1 July 2005 to 30 June 2006, 56 cents;
- (b) for the year 1 July 2006 to 30 June 2007, 62 cents;
- (c) for the year 1 July 2007 to 30 June 2008, 68 cents;
- (d) for the year 1 July 2008 to 30 June 2009, 74 cents;
- (e) for the year 1 July 2009 to 30 June 2010, 80 cents;
- (f) for the 5 year period beginning on 1 July 2010 and ending on 30 June 2015 and for each succeeding 5 year period (the **“relevant period”**), the amount calculated under subregulation (2b) or provided for in subregulation (2d), as the case requires.

- (2b) Subject to subregulations (2c) and (2d), the amount for the relevant period is the amount calculated using the formula —

$$R = C \times \frac{PPI}{127.3}$$

where —

R is the amount;

C is —

- (a) for the purposes of Amount A, 50 cents;
- (b) for the purposes of Amount B, 80 cents;

PPI is the Non-Metallic Mineral Products Price Index number, for the quarter ending on the last 31 March before the beginning of the relevant period, published by the Australian Bureau of Statistics in Catalogue 6427.0 Producer Price Indexes, Australia.

- (2c) If the calculation provided for in subregulation (2b) does not result in an amount of whole cents the amount is to be rounded down to the nearest whole cent and the rounded amount is to be regarded as the amount calculated under that subregulation.
- (2d) If the amount calculated under subregulation (2b) is less than the amount that applied immediately before the beginning of the relevant period (the “**existing amount**”), the amount for the relevant period is the existing amount.

”.

(2) The Table to regulation 86 is amended as follows:

- (a) by deleting the items relating to —
- (i) agricultural limestone;
  - (ii) construction limestone; and
  - (iii) metallurgical limestone;
- (b) by deleting the item relating to limestone and inserting the following item instead —

“

Limestone (including  
limesands and  
shellsands) —

used for agricultural or      Amount A  
construction purposes  
or as a neutralising  
agent

used for metallurgical      Amount B  
purposes

”.

- (c) in column 1 by deleting “30 cents” in each place where it occurs and inserting instead —
- “    Amount A    ”;
- (d) by column 1 by deleting “50 cents” in each place where it occurs and inserting instead —
- “    Amount B    ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.