
MINERALS AND PETROLEUM

MP301*

Mining Act 1978

**Mining (Ellendale Diamond Royalties)
Amendment Regulations 2005**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining (Ellendale Diamond Royalties) Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Mining (Ellendale Diamond Royalties) Regulations 2002**.

[* *Published in Gazette 8 February 2002, p. 581.*
For amendments to 17 February 2005 see Gazette 11 February 2005.]

3. Regulation 3 amended

- (1) Regulation 3(1) is amended in the definition of “allowable capital expenditure” as follows:

- (a) by deleting the semicolon after paragraph (d) and inserting a comma instead;
- (b) by inserting at the end of the definition —

“

and, in the case of any year beginning after 30 June 2005, also means the purchase price paid under the sale agreement for the Ellendale mining area and Ellendale Information, as defined in the sale agreement, being the purchase price set out in item 2 of Schedule 1 in the sale agreement;

”.

- (2) In regulation 3(1) the following definition is inserted in the appropriate alphabetical position —

“

“**sale agreement**” means the agreement dated 5 September 2001 and made between Argyle Diamond Mines Pty Limited, Capricorn Diamonds

Limited, Ashton Argyle Holdings Pty Limited,
AML Nominees Limited and Kimberley Diamond
Company NL;

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By Command of the Governor,

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