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**MINERALS AND ENERGY**

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MN301\*

Mining Act 1978

**Mining Amendment Regulations (No. 3) 2000**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Mining Amendment Regulations (No. 3) 2000*.

**2. The regulations amended**

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

[\* Reprinted as at 18 March 1996.

*For amendments to 13 March 2000 see 1998 Index to Legislation of Western Australia, Table 4, pp. 215-16, and Gazette 11 June, 18 June and 19 November 1999 and 21 January and 8 February 2000.]*

**3. Regulation 86AA amended**

Regulation 86AA(5a) and (5b) are repealed.

**4. Regulation 86F replaced**

Regulation 86F is repealed and the following regulation is inserted instead —

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**86F. Royalty relief**

(1) Despite anything in regulation 86 or 86AA, if the Minister is satisfied in a particular case that there are circumstances justifying royalty relief, the Minister may determine that in that case the rate of royalty payable —

- (a) under regulation 86, for any mineral produced or obtained while the determination is expressed to apply; or
- (b) under regulation 86AA, for gold metal produced while the determination is expressed to apply,

is to be on the basis of a portion only, as specified in the determination, of the royalty base.

(2) Despite regulation 86A, a determination under subregulation (1) may also specify the time and manner of payment of royalties.

(3) In this regulation —

**“circumstances justifying royalty relief”** means circumstances that meet criteria for the giving of royalty relief that the Minister has published in the *Gazette*;

**“gold metal”** has the same meaning as it has in regulation 86AA(11);

**“royalty base”** means —

- (a) in the case of gold metal, the realized value of the gold metal in respect of which the rate of royalty is payable;
- (b) in the case of any other mineral, anything by reference to which regulation 86 fixes the rate of royalty payable for that mineral.

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By Command of the Governor,

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