

MP302*

Mining Act 1978

Mining Amendment Regulations (No. 2) 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mining Amendment Regulations (No. 2) 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 1 August 2013.

3. Regulations amended

These regulations amend the *Mining Regulations 1981*.

4. Schedule 2 amended

- (1) In Schedule 2 delete items 1 to 13 and insert:

- 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 45.60
 - (b) for year 8, and each subsequent year, of the term of the licence 153.60

2.	Annual rent of graticular exploration licence —	
(a)	one block licence applied for after 1 July 1999	286.25
(b)	all other licences, per block —	
(i)	for years 1 to 3 of the term of the licence	119.00
(ii)	for years 4 and 5 of the term of the licence	185.10
(iii)	for years 6 and 7 of the term of the licence	251.10
(iv)	for year 8, and each subsequent year, of the term of the licence	475.50
3.	Annual rent of general purpose lease per hectare or part of one hectare	13.90
4.	Annual rent of lease granted under the <i>Mining Act 1904</i> ⁵ , 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	15.70
5.	Annual rent of mining lease per hectare or part of one hectare	15.70
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	13.90
7.	Annual rent of prospecting licence per hectare or part of one hectare (minimum \$23.00)	2.30
8.	Annual rent of retention licence per hectare or part of one hectare	6.85
9.	Application fee for —	
(a)	exploration licence —	
(i)	one block	313.85
(ii)	more than one block	1 257.55
(b)	general purpose lease	439.65
(c)	mining lease	439.65
(d)	miscellaneous licence	439.65
(e)	permit under section 40E	r. 4D(2) 25.00
(f)	prospecting licence	298.15
(g)	retention licence	722.75
10.	Application fee for approval of retention status	262.15
11.	Copy of all or part of document or report (per copy)	r. 25B 8.35

12.	Copy of —		
(a)	entry in the register (per tenement)	r. 84D	8.35
(b)	dealing or other instrument (per tenement)	r. 84D	8.35
13.	Certification of a document	r. 109	6.95

(2) In Schedule 2 item 14:

(a) in paragraph (a)(i) delete “335.00” and insert:

341.70

(b) in paragraph (a)(ii) delete “380.00” and insert:

387.60

(3) In Schedule 2 delete items 15 to 22 and insert:

15.	Issue of —		
(a)	duplicate instrument of lease	s. 83	34.60
(ba)	instrument of licence	s. 116	34.60
(b)	miner’s right	s. 20	25.00
16.	Partial surrender of a mining tenement	r. 45	104.85
17.	Application for permit to enter private land (per lot or location affected — minimum \$27.80)	r. 5	6.95
18.	Private land — application to bring under the Act	r. 8	22.05
19.	Registration or recording of instruments (per tenement affected where applicable) —		
(a)	application for copy document	r. 105	104.85
(b)	caveat	r. 76	104.85
(c)	devolution	r. 102	104.85
(d)	discharge/withdrawal of any encumbrance	r. 76A, 83	6.95
(e)	injunction	r. 109	104.85
(f)	judgment/order of court	r. 109	104.85
(g)	mortgage	r. 77	104.85
(h)	power of attorney — each	r. 108	104.85
(i)	seizure — notice of	r. 109	104.85
(j)	tax memorial	s. 103C	104.85
(k)	transfer —		
(i)	mining tenement	r. 75	104.85

	(ii) mortgage	r. 84	104.85
	(l) withdrawal of memorial	s. 103C	6.95
20.	Restoration of mining tenement	r. 51	212.85
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)	8.35
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		59.25
	(b) response and all necessary witness summonses		40.90
	(c) all necessary applications and affidavits		5.95
	(d) order made by warden including an order for an injunction		17.85
	(e) copy of —		
	(i) evidence — per page		8.35
	(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 Governor,

G. MOORE, Clerk of the Executive Council.