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**MINERALS AND ENERGY**

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MN301\*

Mining Act 1978

**Mining Amendment Regulations (No. 2) 1999**

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

**1. Citation**

These regulations may be cited as the *Mining Amendment Regulations (No. 2) 1999*.

## 2. The regulations amended

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

[\* Reprinted as at 18 March 1996.

For amendments to 21 April 1999 see 1998 Index to Legislation of Western Australia, Table 4, pp. 215-16.]

## 3. Regulation 15 amended

- (1) After regulation 15(1) the following subregulation is inserted —

“

- (1aa) Subregulation (1) applies in respect of any period in which a prospecting licence continues in force because of —

- (a) an application for a lease under section 49; or
- (b) an application for a retention licence under section 70B,

except that the amount to be expended during that period is to be calculated on a *pro rata* basis for each whole month from the last anniversary date of the commencement of the term of the licence until the application is determined.

”.

- (2) Regulation 15(1a) is amended by inserting after “such date” —

“ (including any period referred to in subregulation (1aa)) ”.

- (3) Regulation 15(2) is amended by deleting “quarterly period” and inserting instead —

“ month ”.

## 4. Regulation 21 amended

- (1) Regulation 21(1aa) is amended by inserting after “such date” —

“ (including any period referred to in subregulation (1c)) ”.

- (2) Regulation 21(1b) is amended by inserting after “exploration licence shall” —

“ , subject to subregulation (1d), ”.

- (3) After regulation 21(1b) the following subregulations are inserted —

“

- (1c) Subregulation (1) applies in respect of any period in which an exploration licence continues in force because of —

- (a) an application to extend the term of the licence under section 61;
- (b) an application for a lease under section 67; or

- (c) an application for a retention licence under section 70B,

except that the amount to be expended during that period is to be calculated on a *pro rata* basis for each whole month from the last anniversary date of the commencement of the term of the licence until the application is determined.

- (1d) If an application for the extension of the term of an exploration licence is granted after the date on which the licence would have expired (but for section 61(3)), the amount to be expended under subregulation (1b) during the period from the date on which the application is granted until the next anniversary date of the term of the licence is to be calculated on a *pro rata* basis for each whole month of that period.

”.

- (4) Regulation 21(2) is amended by deleting “quarterly period” and inserting instead —

“ month ”.

- (5) Regulation 21(3) is amended as follows:

- (a) by inserting after “exploration licence” —

“ or any period referred to in subregulation (1c), ”;

- (b) by inserting after “that year” —

“ or period, as the case requires ”.

## 5. Regulation 31 amended

Regulation 31(2) is amended by deleting “quarterly period” and inserting instead —

“ month ”.

By Command of the Lieutenant-Governor and Administrator,

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