

MINING ACT 1978

MINING AMENDMENT REGULATIONS (No. 2) 1990

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the Mining Amendment Regulations (No. 2) 1990.

Commencement

2. These regulations shall come into operation on 1 July 1990.

Second Schedule amended

3. The Second Schedule to the Mining Regulations 1981* is amended—

(a) by deleting items 2 and 3 and substituting the following items—

“ 2. Application fee for—	
Exploration Licence.....	Reg. 18 770.00
General Purpose Lease.....	Reg. 34 154.50
Mining Lease.....	Reg. 25 154.50
Miscellaneous Licence.....	Reg. 39 154.50
Prospecting Licence.....	Reg. 12 77.00
3. Copy of—	
Mining Tenement Register (per tene- ment).....	Reg. 106 4.30
Dealing affecting tenement (per deal- ing).....	Reg. 106 4.30 ”;

(b) by deleting items 4 to 11A and substituting the following items—

“ 4. Exemption from expenditure conditions— per $\frac{1}{12}$ th of annual expenditure commitment.....		Reg. 54	9.60
5. Issue of—			
Duplicate instrument of lease.....	Sec. 83	22.90	
Miner's Right.....	Sec. 20	20.00	
6. Objection.....		Regs. 49, 51B, 55, 67, 120A	4.30
7. Partial Surrender of a Mining Tene- ment.....	Reg. 45	16.30	
8. Permit to Enter Private Land— application for (per Lot or Location affected—Minimum \$16.00).....		Reg. 5	3.65
9. Private Land—application to bring under the Act.....	Reg. 8	15.25	

10.	Registration of dealings (per tenement affected where applicable)—		
	Agreement.....	Reg. 110	16.30
	Application for copy document.....	Reg. 105	16.30
	Caveat.....	Sec. 121	16.30
	Devolution.....	Reg. 102	16.30
	Discharge/Withdrawal of any encumbrance.....	Reg s. 83, 110	4.30
	Injunction.....	Reg. 109	16.30
	Judgement/Order of Court.....	Reg. 110	16.30
	Mortgage.....	Reg. 109	16.30
	Power of Attorney—each.....	Reg. 108	16.30
	Seizure—Notice of.....	Reg. 132	16.30
	Sub-lease of Mining Tenement.....	Reg. 110	16.30
	Transfer—		
	Mining Tenement.....	Reg. 75	16.30
	Mortgage.....	Reg. 84	16.30
11.	Restoration of Mining Tenement.....	Reg. 51	132.70
11A.	Search of front page of form 5.....	Reg. 96 (2)	4.30 ”;
	and		
(c)	by deleting items 13 and 14 and substituting the following items—		
“	13. Warden's Court Fees—		\$
	(i) For entering a plaint, excluding service fee, but including the issue of summons for each defendant and all necessary witness subpoenas.....		31.00
	(ii) Defence, including notice of defence and all necessary witness subpoenas.....		18.20
	(iii) All necessary applications and affida- vits.....		3.20
	(iv) Order made by warden including an order for an injunction.....		7.50
	(v) Issue or renewal of a warrant of execu- tion.....		22.00
	(vi) Copy of a judgement, decision, order or evidence—per page.....		6.50
	(vii) Taxation of bill of costs.....	5c for each \$1.00 of a bill filed (minimum fee \$5.00)	
	14. Bailiffs Fees—		
	(i) Service of any process or related matter.		8.80
	(ii) Attendance at court on each hearing...		1.60
	(iii) Warrant of execution—		
	(I) execution of, including service of necessary notice and return to the warrant.....		22.00
	(II) attendance on the execution debtor after seizure or to in- spect or remove goods under seizure for sale while debtor is in possession and each atten- dance at sale which in the opinion of the warden is rea- sonably necessary.....		8.10
	(III) for keeping possession, per day.		6.50
	(IV) poundage—		
	(a) sale of goods or land by licensed auctioneer in- cluding auctioneer's charges.....	15% on amount re- alized	
	(b) sale of goods or land by auctioneer other than li- censed auctioneer.....	10% on amount re- alized	
	(c) where goods or land is not sold.....	4% on amount levied	

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| (iv) | kilometreage to serve a summons, notice or other document or to execute a writ or warrant-per whole or part kilometre beyond the first kilometre as the crow flies (one way only)..... | \$ | |
| | | | 0.70 " |

*[*Published in the Gazette of 13 November 1981 at pp. 4601-4676. For amendments to 24 May 1990 see pp. 306 of 1989 Index to Legislation of Western Australia and Gazette of 20 April 1990 p. 2000.]*

Dated 19 June 1990.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council
