



New South Wales

Coal Ownership (Restitution) Amendment (Preliminary Evaluation) Regulation 1997

under the

Coal Ownership (Restitution) Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Coal Ownership (Restitution) Act 1990*.

Bob Martin MP

Minister for Mineral Resources

Explanatory note

The object of this Regulation is to provide for the preliminary evaluation of applications for the restitution of ownership of coal. Each applicant will be notified of the results of the preliminary evaluation and will (in the case of a preliminary evaluation that recommends the application should not be granted) have 30 days in which to make submissions to the Coal Compensation Board on the matter.

The Regulation also adds to the list of factors to be taken into account in determining an application.

This Regulation is made under section 9 (2) (c) of the *Coal Ownership (Restitution) Act 1990*.

1997 No 600

Clause 1 Coal Ownership (Restitution) Amendment (Preliminary Evaluation) Regulation 1997

Coal Ownership (Restitution) Amendment (Preliminary Evaluation) Regulation 1997

1 Name of Regulation

This Regulation is the *Coal Ownership (Restitution) Amendment (Preliminary Evaluation) Regulation 1997*.

2 Commencement

This Regulation commences on 14 November 1997.

3 Amendment of Coal Ownership (Restitution) Regulation 1995

The *Coal Ownership (Restitution) Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 6A

Insert after clause 6:

6A Preliminary evaluation of applications

- (1) The Compensation Board is to make a preliminary evaluation of each section 5 application and is to notify the applicant in writing of the results of the preliminary evaluation. The notification to an applicant must indicate whether or not the Board proposes to recommend that the application be granted.
- (2) If the notification indicates that the Compensation Board proposes to recommend that the application not be granted, the applicant has 30 days after the notification is given to the applicant to make submissions to the Board with respect to the preliminary evaluation.
- (3) The Compensation Board is to consider and take into account any submissions made by the applicant within that 30 days, before it determines the application.

[2] Clause 8 Factors to be taken into account when determining applications

Insert at the end of clause 8 (c):

- (d) whether or not the Crown would lose significant revenue were the coal to cease to be vested in the Crown.