

# Minerals and Energy Fees Bill 1982

## NOTES ON CLAUSES

*Clause 1* provides the short title of the Act and also provides for the Act to come into operation on a day or days to be fixed by proclamation.

*Clause 2* divides the Act into Parts; Part I, dealing with amendments to the *Mines Act 1958* and Part II, dealing with amendments to other Acts.

### PART I.

*Clause 3* cites the *Mines Act 1958* as the Principal Act for the purposes of Part I.

*Clause 4* increases the maximum fee that may be prescribed for the issue of a miner's right from \$4 to \$10.

*Clause 5* removes the power to charge a fee for the issue of a duplicate miner's right.

*Clause 6* increases the annual rent payable for a gold mining lease from \$0.62 per hectare to \$5 per hectare.

*Clause 7* amends both sections 43 (4) and 44 (1) to increase the maximum fee that is payable for the grant of a new lease upon the surrender of a lease from \$20 to \$25.

*Clause 8* amends section 45 to insert a new sub-section (3A) to provide for the transfer, subject to Ministerial consent and to the payment of the prescribed fee, of all or part of a mining lease.

*Clause 9* amends section 47 (4) to provide for the imposition of a fee for lodging an application to the Minister for suspension of a labour covenant on a lease.

*Clause 10* amends section 51 (2) to rationalize and increase the security costs to be paid in respect of an application for an inquiry into an alleged breach of a labour covenant of a lease.

*Clause 11* inserts a new sub-section (6) into section 85 to provide for the transfer, subject to Ministerial consent and the payment of the prescribed fee, of the whole or a portion of a tailings licence.

*Clause 12* amends section 83 (2) to increase from \$6 to \$100 the security costs to be lodged in respect of an application for an inquiry into an alleged breach of a labour covenant of a tailings licence.

*Clause 13* inserts a new sub-section (2) into section 84 to provide for the suspension of a labour condition on a tailings licence.

*Clause 14* amends section 93 to provide—

for an increase in the maximum fee that may be prescribed by Regulation for any application made under Part I. of the Act;

for Regulations to be made governing the transfer of an interest in a lease or a licence and for a fee to be prescribed for any transfer of both an application for or an interest in a lease or licence, including the lodgment of objections to any such transfers;

for an increase in the maximum fee that may be prescribed in connexion with claims.

*Clause 15* amends section 316 (1) to raise the fee for a gold mining lease on private land to \$5 per hectare. The fee is to apply irrespective of the type of private land demised by the lease.

*Clause 16* amends section 318 (4) to lift the maximum fee payable for the grant of a new lease upon the surrender of a lease over private land, from \$20 to \$25.

*Clause 17* amends section 349 to increase the fee payable for a water-line easement lease from 13 cents per hectare to \$5 per hectare.

*Clause 18* inserts a new section 368A to provide for the making of Regulations prescribing fees for applications to let a tribute under Division 1 of Part III.

*Clause 19* amends section 383 (1) to provide—

for fees to be prescribed for the conduct of examinations for permits to use explosives;

for the amendment or alteration of licences to store explosives and for fees to be prescribed for such amendment or alteration; and

for the issue of duplicate licences to store explosives and for fees to be prescribed for the issue of such duplicates.

*Clause 20* amends section 400E (2) to provide for Regulations to be made prescribing fees in respect of examinations for mine managers' certificates and permits.

*Clause 21* amends section 453 to increase the rent payable in respect of land worked by dredging or hydraulic sluicing, from \$1.25 per hectare to \$5 per hectare.

*Clauses 22–24, 26 and 28* amend several provisions of Part V. of the Act in connexion with the introduction of a “graticular section” (as defined) as the basis upon which new exploration licence fees are to be calculated.

*Clause 25* amends section 517 to increase the fee payable on the transfer of an exploration licence from \$20 to \$80.

*Clause 27* amends section 528 by increasing from \$50 to \$80 the maximum fee which may be prescribed in respect of applications under Part V.

*Clause 29* makes a consequential amendment to section 1 of the Act.

## PART II.

*Clause 30* amends various sections of the *Petroleum Act 1958* as follows:

Paragraph (a) amends section 31 (1) to increase the fee payable for a petroleum lease from \$8 to \$50 per square kilometre.

Paragraph (b) amends section 64 (5) to raise the fee payable in respect of an application for a petroleum exploration permit from 8 cents to \$15 per square kilometre.

Paragraph (c) amends section 82 to provide for Regulations to be made prescribing fees for the processing of lease and permit applications.

*Clause 31* amends section 73 of the *Explosives Act 1960* to provide:

For the issue of duplicate permits to use explosives and for the prescription of a fee for the issue of duplicate permits.

For the prescription of examination fees for permits to use explosives.

*Clause 32* amends various sections of the *Extractive Industries Act 1966* at follows:

Paragraph (a) amends section 8 of the Act to provide for the payment of a prescribed fee for an application to assign an interest in a lease or licence.

Paragraph (b) inserts a new section 10A to provide that a person may, subject to the consent of the Minister and on the payment of a prescribed fee, assign his interest in an application for a lease or licence.

Paragraph (c) amends section 19 to provide—

- (i) for the issue of licences to store explosives and for fees to be prescribed for such licences;
- (ii) for the issue of duplicates of permits to use explosives and licences to store explosives and for fees to be prescribed for such duplicates;
- (iii) for the amendment or alteration to permits and licences and for fees to be prescribed for any amendment or alteration.

Paragraph (d) amends section 45 to provide for fees to be prescribed in respect of—

- (i) the preparation of leases, licences and extraction permits;
- (ii) the assignment of a lease or licence or an interest in an application therefor.

*Clause 33* amends the *Inflammable Liquids Act 1966* as follows:

Paragraph (a) amends section 10 to provide for—

- (i) fees to be prescribed for the transfer and amendment of licences issued under the Act and for the issue of duplicates of such licences;
- (ii) the prescription of a fee for the issue of a duplicate of any identification plate required by a licence to transport inflammable liquids.

Paragraphs (b) and (c) insert new sections into the Act to provide for the transfer, subject to the consent of the Minister and on payment of the prescribed fee, of a licence to store or transport inflammable liquids.

*Clause 34* amends the *Liquefied Gases Act 1968* as follows:

Paragraph (a) inserts a new section 16A to provide that a person who holds a licence to transport liquefied gas may, with the consent of the Minister and on payment of the prescribed fee, transfer his licence.

Paragraph (b) amends section 22 (1) to provide power to prescribe fees for the transfer, amendment or variation of licences issued under the Act, the issue of duplicate licences and the issue of a duplicate of any identification plate which is required by a licence to transport liquefied gases.