

# Mines (Amendment) Bill

## NOTES ON CLAUSES

*Clause 1* is a clause in the usual form containing provisions relating to the short title and commencement, and naming the *Mines Act 1958* as the Principal Act.

*Clause 2* (1) introduces into section 3 of the Principal Act necessary interpretations of “Chief Mining Inspector”, “Mining Operations”, “Mining Purposes Licence”, “Oil Shale”, “Owner”, “Party”, “Plant”, “Prescribed”, “Tailings”, and “Underground Water”, and amends the interpretations of “Claim”, “Mineral”, “Mining Purposes”, “Prospecting”, and “To Mine”.

Sub-section (2) inserts new sub-sections (3) and (4) which introduce an interpretation of “Secretary” and clarify the use of the word “occupation”.

*Clause 3* amends section 4 of the Principal Act to incorporate stated Government policy that Crown lands reserved initially under section 4 *Crown Lands (Reserves) Act 1978* following the adoption of Land Conservation Council recommendations will not become exempted from occupation for mining purposes under a Miner’s Right, and that existing exemptions will remain.

*Clause 4* amends section 9 of the Principal Act by replacing a reference to “by-laws” with a reference to “regulations”, and specifying “the Minister” as the applicant to Governor in Council for any authority to occupy excepted lands and to mine under exempted lands.

*Clause 5* amends section 9 of the Principal Act by amending an existing drafting error.

*Clause 6* amends section 11 of the Principal Act dealing with mining under roads by modernizing provisions to include a “race, drain (and) pipeline”; specifies the “date”; increases the penalty for creating a nuisance from \$40 to \$1000; and enables a public enquiry to be initiated by the Minister if mining is made impractical.

*Clause 7* increases the maximum charge for a Miner’s Right in section 14 of the Principal Act from \$4 to \$10.

*Clause 8—*

- (a) substitutes a new section 15 dealing with prospecting under a Miner’s Right for the existing section in the Principal Act empowers the retention as personal property of gold and minerals won by prospecting and specifies the activities which are and are not permitted while prospecting; and
- (b) separates the prospecting authority of a Miner’s Right from its authority to mine by introducing a new section 16 relating to the latter. The proposed section 16 provides for the possession and occupation of a claim, endows the owners of a claim with ownership of gold and minerals on the claim, and prohibits mining operations until the claim is registered.

*Clause 9* amends section 17 of the Principal Act referring to registration of claims. It replaces a reference to “pegged” by a reference to “marked”; repeals the requirement for consent from an exploration licensee or an applicant for a licence prior to registration; limits a claim for the first twelve months to a depth of 120 metres in common with that of private land rights; empowers an exploration licensee with the sole right to apply for a lease under a claim and provides for the failure of an application for such a lease; establishes the consultative setting of working and rehabilitation conditions prior to occupation; provides claim owners with water rights, the right to erect a shed and to use machinery and explosives on a claim; and establishes legal possession of a claim and property thereon.

*Clause 10* repeals section 18 (2) of the Principal Act.

*Clause 11* repeals section 19 of the Principal Act, and substitutes a new section 19 allowing transfer of claims after the first year of occupancy.

*Clause 12* extends the provisions of section 20 of the Principal Act by introducing provisions for de-registration of a claim; and in a proposed section 21 permits ante-dating of a Miners’ Right in certain cases.

*Clause 13* extends section 24 (2) of the Principal Act to include “minerals”.

*Clause 14* amends section 41 sub-section (1) of the Principal Act by increasing the annual rental of a gold mining lease from 62 cents to \$10 per hectare, introduces a limit of 26 hectares on a gold mining lease, and provides for larger areas at Ministerial discretion.

*Clause 15* introduces a new section 46B following section 46A in the Principal Act. It enables the Minister to authorize activities on previously mined private land, not held under a current mining lease, which are designed to attract public interest in all aspects of mining.

*Clause 16* removes outdated provisions from section 49 of the Principal Act.

*Clause 17* introduces a new sub-section into section 51 of the Principal Act detailing the procedure for obtaining information on which the operation of section 51 for forfeiture of a lease is based. It also amends the provision for a public enquiry to ensure that a decision will eventuate and increases the costs from \$6 and \$20 to \$50 and \$100 respectively.

*Clause 18* amends section 59 of the Principal Act relating to abandoned equipment to include claims. New sub-sections are inserted to empower the Minister to dispose of such equipment.

*Clause 19* repeals section 63 of the Principal Act.

*Clause 20* repeals section 64 of the Principal Act.

*Clause 21* clarifies an existing confusion in section 65 of the Principal Act by amending references to “prospecting” to “mining”.

*Clause 22* clarifies and extends the provisions of section 66 of the Principal Act for a “mining purposes licence” to certain private lands; to include “plant”, “reservoirs, pipelines and facilities for the conveyance of water” and storage facilities for earth, waters and tailings; and to provide for access, drainage and ventilation. The requirement to obtain a licence or permit to take water is introduced. Provisions are introduced for the application, granting, conditioning and revocation of licences.

*Clause 23* amends the heading of Division 9 Part I. of the Principal Act to include “claims”.

*Clause 24* clarifies provisions in section 67 of the Principal Act regarding trespass and encroachment in view of—

- (i) the modern centralized mining titles administration; and
- (ii) the previous revocation of the “licence” referred to.

*Clause 25* amends section 71 of the Principal Act by enabling realistic extensions of time for the processing of applications for leases.

*Clause 26* provides for amendments to section 72 of the Principal Act for applications for extensions of leases to incorporate provisions parallel to those in clauses 24 and 25.

*Clause 27* provides for new sections to be inserted after section 76 of the Principal Act, as follows:

- (a) *Proposed section 77A* provides that prospecting or mining on a claim by any person not authorized by the owner shall be deemed to be unauthorized prospecting or mining pursuant to section 281 of the Principal Act;
- (b) *Proposed section 77B* declares that all the provisions regarding registered claims on Crown Land in the Principal Act shall have effect notwithstanding any provision to the contrary in the *Town and Country Planning Act 1961* or in any instrument issued pursuant to that Act, and that no condition, restriction, limitation or bond shall be imposed on a registered claim under the provisions of that Act.
- (c) *Proposed section 77C* provides for a public enquiry if exploration or mining authorized under the *Mines Act 1958* is unreasonably restricted under any other Act;
- (d) *Proposed section 77D* declares that rehabilitation of the land after mining shall not be required beyond the condition of the land prior to the commencement of mining operations by that owner, lessee or licensee.

Clause 28 amends section 79 of the Principal Act to enable the voiding of a lease if the lessee becomes bankrupt, or if the lease is not used *bona fide*.

Clause 29 inserts a new section 79A into the Principal Act to enable the cancellation of a licence if the licensee becomes bankrupt, or if the licence is not used *bona fide*.

Clause 30 amends section 80 of the Principal Act by changing a reference to the "Secretary for Mines" to the "Secretary for Minerals and Energy".

Clause 31 clarifies the provisions regarding tailings in section 81 of the Principal Act.

Clause 32 inserts a new sub-section into section 82 of the Principal Act to empower the issue of a tailings licence on a lease to a person other than the lessee under certain conditions.

Clause 33 extends a reference to "person" in section 82 (4) of the Principal Act to a "municipality" and "body corporate".

Clause 34 amends section 83 of the Principal Act by increasing the application fee for a public enquiry regarding an alleged breach of the covenants on a tailings licence from \$6 to \$50.

Clause 35 amends the provisions of section 83 (2) of the Principal Act for a public enquiry regarding a breach of the labour covenant on a tailings licence to ensure that a decision will eventuate.

Clause 36 increases the penalty for removing or displacing posts marking out leases, licences and claims in section 88 of the Principal Act from \$20 to \$500.

Clause 37 amends the regulatory powers of section 93 of the Principal Act by—

- (i) adding provisions for prescribing deposits and royalties;
- (ii) requiring payment of bonds or security for rehabilitation;
- (iii) including "Dam, race, drain, pipeline or conveyance for water or tailings";
- (iv) including all licences in compensation payments;
- (v) regulating transfers of leases and licences; regulating the issue of Miner's Rights and the equipment and activities for prospecting;
- (vi) prescribing standard conditions of working and rehabilitation of claims;
- (vii) providing for authorities to occupy or mine under exempted or excepted lands;
- (viii) providing for the transfer of claims and licences, and de-registration of claims, and abandoned claims;
- (ix) regulating public interest activities; and
- (x) providing for the disposal of abandoned mining equipment.

*Clause 38* amends the provisions in section 207 of the Principal Act relating to procedure in a Magistrates' Court from a choice regarding the law relating to evidence or procedure to an observance of the rules of evidence. In addition, the costs to be awarded are specified as those prevailing for a Magistrates' Court.

*Clause 39* increases the maximum penalty in section 235 (3) of the Principal Act for divulging privileged information in encroachment cases from \$100 to \$5000.

*Clause 40* increases the maximum penalty in section 281 of the Principal Act for unauthorized prospecting or mining from \$500 to \$10 000.

*Clause 41* increases the maximum penalty in section 282 of the Principal Act for wilfully and corruptly exacting, taking or receiving monies by mining officers from \$100 to \$5000. A new proposed sub-section prohibits the holding of any interest or shares in a mine by mining officers, their spouses or dependent minors.

*Clause 42* amends the interpretative section 290 of the Principal Act relating to private land by—

- (i) repealing the interpretation of "by-laws";
- (ii) including interpretation of "Chief Mining Inspector";
- (iii) clarifying the interpretation of "mine"; and
- (iv) generally relating interpretations to those in section 3 of the Principal Act.

*Clause 43* amends section 291 of the Principal Act by extending the operation of the section to offshore State territory.

*Clause 44* amends sections 293, 294 and 295 of the Principal Act by restricting the petitioning process for the exploration and mining of land alienated from the Crown before 1 March 1892 to either the owner of the land or the holder of an exploration licence over that land, and providing for subsequent mining of privately owned minerals occurring in payable quantities on such land either by the landowner himself (if he be a petitioner) or by the exploration licensee after agreement with the landowner (if the licensee be the petitioner).

*Clause 45* amends section 301 of the Principal Act by increasing the maximum size of a mine under private land which requires either the authority of the owner to enter, or is limited to more than 120 metres in depth, from 0.2 to 2 hectares.

*Clause 46* proposes to insert a new sub-section into section 305 of the Principal Act, to exclude the value of gold and minerals (being Crown property) in any land from the assessment of compensation for that land.

*Clause 47* proposes to insert a new sub-section into section 306 of the Principal Act, to include the removal of mining debris in the compensation to an owner for mining on private land, and to enable the section to apply to all leases by repealing the word "gold".

*Clause 48* amends section 315 of the Principal Act by limiting the area of a gold mining lease on private land to 26 hectares except where otherwise determined by the Minister.

*Clause 49* increases the annual rental per hectare specified in section 316 of the Principal Act for gold mining leases on certain private lands from 13 cents to \$1, and on others from 62 cents to \$5, and of mineral leases on private land from \$25 to \$100.

*Clause 50* increases the minimum rental specified in section 317 of the Principal Act for a lease on private land from \$1 to \$10.

*Clause 51* amends section 319 of the Principal Act to clarify the need for registration of a claim on private land before it can be worked.

*Clause 52* clarifies section 320 of the Principal Act by amending a reference to “occupies” to “intends to occupy”.

*Clause 53* amends section 324 of the Principal Act by clarifying the provisions for voiding of a lease on private land, and the right of the owner to re-enter and possess that land.

*Clause 54* amends section 325 of the Principal Act by enabling more than one “prospecting area” on an area of private land applied for as a lease to be prospected under licence prior to granting of the lease; by increasing the area so available to a maximum for four hectares; and by providing for the control of prospecting activities, the renewal of a licence, and the granting of a new licence.

*Clause 55* clarifies the meaning of “lease” in section 327 (4) of the Principal Act.

*Clause 56* removes references to “occupation” in section 328 of the Principal Act which no longer apply.

*Clause 57* changes a reference to “warden” in section 337 of the Principal Act to “a magistrates’ court”.

*Clause 58* increases the maximum penalty in section 342 of the Principal Act for obstruction of a person authorized by a magistrates’ court from \$100 to \$1000.

*Clause 59* relates to section 343 of the Principal Act by including an “Inspector of Mines” among those empowered to undertake surveys of private land.

*Clause 60* amends a reference in section 344 of the Principal Act to the “Department of Mines” to the “Department of Minerals and Energy”.

*Clause 61* extends certain provisions for Crown lands to private lands by amending section 345 of the Principal Act. These provisions are—

- (a) the inclusion of private land as part of a mining lease, and the right to renew a lease on private land;

- (b) the authorization and control of activities designed to attract public interest in mining operations of all kinds;
- (c) the acquisition and disposal of abandoned mining equipment by the Crown, and the availability of mining purposes licences;
- (d) the availability of tailings licences to a lessee over tailings produced by the lessee.

*Clause 62* provides for the revocation of exceptions on mining on private land excepted under section 347 of the Principal Act, and for the provisions regarding authorities to mine excepted Crown land to apply to private land.

*Clause 63* changes the fees in section 349 of the Principal Act for water easements over private land from "13 cents per hectare per annum" to a maximum of \$1 per lineal kilometre per annum. Paragraph (c) provides for similar easements over private land for conveying slurries or solutions.

*Clause 64* is an amendment to section 350 of the Principal Act consequential on the enactment of *Clause 63*.

*Clause 65* amends section 351 of the Principal Act by specifying that the minimum depth at which Governor in Council may authorize one miner to drive through another's tenement for the better working of that former tenement shall be 120 metres.

*Clause 66* amends the penalty provisions relating to the unauthorized removal of gold and minerals from private land and increases the maximum cash penalty from \$10 to \$100.

*Clause 67* introduces two new Divisions under the "General Provisions" relating to the Principal Act.

The first Division is "Bonds and Securities" and is incorporated in a proposed section 361AA.

Sub-section (1) establishes the bond or security requirement for rehabilitation of the land and public safety after mining is completed;

(2) specifies maximum bond of \$200;

(3) specifies that the bond or security must be lodged prior to the commencement of mining;

(4) provides for release from the bond on completion of rehabilitation and safety measures after mining;

(5) enables the spending of the bond if such procedures are not carried out satisfactorily by the miner;

(6) provides for re-payment of residual moneys to the minor in such a case; and

(7) extends these provisions to transfers and renewals of tenements.

Proposed section 361AB allows for the spending of bond moneys for the removal of abandoned mining equipment from an abandoned lease on private land.

The second proposed Division is “Mines Reclamation Fund”. This is incorporated in proposed sections 361AC–AH. The Fund is kept by Treasury, and shall contain moneys from various appropriate fees, rents, royalties, bonds, fines and penalties, or proportions of these, as well as appropriations by Parliament (section 361AE).

Payments from the Fund shall be made for rehabilitation of land, environmental impact studies, repayments of bonds, and generally for the administration of appropriate sections of the Principal Act as determined by the Minister (section 361AF). Fund moneys may be invested (section 361AG), and the Treasurer is empowered to maintain the Fund at an appropriate level, as a charge on the Fund (361AH).

*Clause 68* amends several headings and the list of Divisions in section 1 of the Principal Act as a consequence of the introduction of the provisions of *Clause 67*.

*Clause 69* adds to the interpretations of section 369 of the Principal Act interpretations of “Chief Mining Inspector”, “Mining Purposes”, “Oil Shale” and “Underground Water”. The interpretations of “Mine” is amended, an alternative interpretation of “Mining” is provided, and the interpretation of “Owner” and proposed new sub-sections (7) to (10) regarding “owner” are included, all to provide greater precision and clarity.

*Clause 70* amends section 373 (1) of the Principal Act to meet anti-discrimination requirements by changing two references to “boys” to “minors”.

*Clause 71* changes a reference in section 378 of the Principal Act to the Department of “Mines” to “Minerals and Energy”, and increases the maximum penalties for failure to inform the Department of boring or shaft sinking to a depth greater than 30 metres, and for divulging information unlawfully, from \$100 to \$1000 in each case.

*Clause 72* replaces section 379 of the Principal Act with a clearer and more inclusive section empowering the Chief Mining Inspector or his delegate to control mining operations including measures concerning the safety of the public on all claims leases and licences, and providing for a right of appeal.

*Clause 73* increases the maximum penalty in section 382 (1) of the Principal Act for failure to employ health and safety appliances from \$100 to \$1000.

*Clause 74* amends the regulatory powers of the Governor in Council in section 383 of the Principal Act to include—

- (a) precautions for preventing or minimizing environmental impact;
- (b) prohibiting and controlling the handling and use of explosives;
- (c) revoking explosives permits; and
- (d) licences;



- (e) increasing the maximum penalty for an offence against a regulation from \$1000 to \$5000, and for a daily maximum penalty for continuing offence from \$100 to \$1000; and
- (f) provision for prescribing the form of notices to be lodged prior to the commencement of work. An extension of the interpretation of "mine" to include all land in a tenement is also provided in sub-section (3).

*Clause 75* expands section 385 of the Principal Act by requiring the owner of a mine to include any requirements specified in the regulations prior to commencing work, and increases the maximum penalty for failure to do so from \$100 to \$1000.

*Clauses 76 to 83* amend the provisions of sections 401 to 409 in the Principal Act relating to engine drivers and boiler attendants. *Clause 77* replaces a Board of Examiners for Engine Drivers by the Chief Mining Inspector, and certificates of competency with permits.

A new section 401 is proposed, in which—

- (1) permits to take charge of and drive any winch, winding engine, hoist or crane while men are being raised or lowered in a mine may be issued to persons over the age of 21 years;
- (2) such a permit also requires an examiner if the shaft is deeper than 200 metres;
- (3) examiners are specified as inspectors or licensed persons;
- (4) permits may be controlled or cancelled;
- (5) all steam powered lifting gear requires an inspector's recommendation;
- (6) persons authorized in other States or by the Commonwealth may not require an examiner's recommendation;
- (7) permit fees not exceeding \$100 shall prevail.

*Clause 78*—Section 402 of the Principal Act is amended consequentially.

*Clause 79* repeals sections 403, 404 and 405 of the Principal Act consequentially.

*Clause 80* amends section 406 of the Principal Act consequentially.

*Clause 81* increases the maximum penalty in section 407 (2) for failure to observe a notice issued by an inspector regarding persons in charge of an engine or boiler from \$10 to \$100.

*Clause 82* replaces the words "Board of Examiners" for engine drivers in section 408 by the words "Chief Mining Inspector".

*Clause 83* takes the control of boilers in section 409 of the principal Act from the *Boilers Inspection Act 1958* to the *Boilers and Pressure Vessels Act 1970*.

*Clause 84* deals with plans of mines, and adds to the provisions of section 410 of the Principal Act the requirement for plans and sections of surface plant, while clarifying the requirement for plans of underground workings to those which are “accessible”.

References to the Secretary for “Mines” are amended to “Minerals and Energy”.

The fee for inspection of mine plans is increased from 50 cents to “such fee (if any) as may be prescribed, not exceeding \$100”, and the maximum penalty for failing to provide plans and sections is increased from \$40 to \$400.

*Clause 85*—

- (a) incorporates an existing footnote to section 413 (1) of the Principal Act into the Act by replacing a reference to the “*Public Service Act 1958*” to the “*Public Service Act 1974*”;
- (b) clarifies the giving of notice;
- (c) broadens sub-section (9) to disallow an inspector or the spouse or dependent minors of an inspector to hold any interest, share or unit trust in any mine or corporation that has an interest in a mine in Victoria under a maximum penalty of \$5000 and disqualification from holding office under the *Mines Act 1958*.

*Clause 86* provides for a rewording and clarification of section 417 of the Principal Act, by specifying the types of accident to be reported by a mining manager, viz.; winding gear, explosives, collapse of ground, and treatment plant.

“Serious injury” is changed from an injury which incapacitates a person for “fourteen days” to one involving “seven days” incapacity.

*Clause 87* relates to section 451 of the Principal Act, and introduces in—

- (a) a new definition of “Alluvials” as “clays, silts, sands, gravels, rocks or other materials conveyed and deposited water as unconsolidated sediments that contain or may contain gold or minerals”;
- (b) introduces definitions of “machinery”, “mine” and “mining operations” appropriate to the operation of the Sludge Abatement Board;
- (c) redefines “owner” to make the term more specific, and uses the new interpretation proposed in *Clause 70*; and introduces interpretations of “owner of machinery”, and “tailings”;
- (d) defines “underground water”.

*Clause 88* increases the annual rent specified in section 453 of the Principal Act for all land under lease worked by dredging or hydraulic sluicing from \$1.25 to \$10 per hectare.

*Clause 89* amends section 454 of the Principal Act by changing the status of the Sludge Abatement Board from a discretionary to a statutory body, and by broadening the field of activity of the Board to include “fluids used for mining purposes”.

*Clause 90* increases the maximum penalty specified in section 460 of the Principal Act for commencement of mining of a type relevant to the Sludge Abatement Board prior to the Board being satisfied with the provisions for such mining from \$50 to \$500, and the daily maximum penalty from \$10 to \$100.

*Clause 91* increases the penalty specified in section 461 of the Principal Act for continuance of mining on a lease voided for failure to impound sludge from \$10 to \$100 per day.

*Clause 92* introduces into section 463 of the Principal Act a new sub-section dealing with wilful discharge of materials beyond the amounts specified by the Board, and increases the maximum penalty for such wilful discharge and for damage to settling basins and the like from \$200 to \$2000.

*Clause 93* amends a reference in section 507 of the Principal Act to the Secretary for "Mines" to "Minerals and Energy".

*Clause 94* amends references in section 509 of the Principal Act to the "Mines Department" and "Consolidated Revenue" to "Department of Minerals and Energy" and "Consolidated Fund".

*Clause 95* corrects a drafting error relating to exploration licences in four sections of the Principal Act by amending the word "issued" to "granted".

*Clause 96* is a related amendment to the two sections of the Principal Act in which "issued" is amended to "granted".

*Clause 97* amends five sections in the Principal Act relating to exploration licences by changing the word "Minister" to the words "Governor in Council". The effect is that, in line with mining leases, exploration licences are to be granted by the Governor in Council.

*Clause 98* relates to section 514 of the Principal Act—

- (a) specifies a minimum size of 5 square kilometres for an exploration licence;
- (b) and (c) amend the Principal Act by changing references to "termination" and "terminated" to "expiry" and "expired";
- (d) introduces new sub-sections—

Sub-section (5) specifies that land previously held under an exploration licence shall not be available to the same explorer until three years has elapsed from the expiry of his previous licence.

Sub-section (6) restricts the right of the holder of an exploration licence to sell, sub-let or joint venture under that licence without Ministerial consent.

Sub-section (7) empowers Governor in Council to impose any special conditions, restrictions, limitations, fees, rents or royalties on a particular exploration licence at the time of granting of that licence.

Sub-section (8) requires an exploration licensee to obtain an authority from the Minister for any exploration operation which would disturb the land by machinery or explosives.

*Clauses 99 and 100* change the annual rental charges from an exploration licence from those in the Thirty-third Schedule to \$10 per square kilometre for the first two years, and \$20 per square kilometre for an extension of the licence.

*Clause 101* repeals section 517 (e) of the Principal Act, which refers to transfers of licences.

*Clause 102* removes references to transfer in section 518 of the Principal Act.

*Clause 103* amends references in section 519 of the Principal Act to any further extension of an exploration licence beyond a single one-year extension, except with the approval of the Governor in Council and dates an extension from the date of expiry of the initial licence.

*Clause 104* repeals section 520 of the Principal Act, and replaces it with a new section, which specifies in detail various types of land unavailable for exploration without consent, and the authority from whom or from which consent may be sought.

*Clause 105* amends section 524 (1) of the Principal Act regarding compensation to land owners prior to exploration by extending and clarifying those provisions.

*Clause 106* repeals section 526 of the Principal Act, and replaces it with a new section containing six sub-sections.

Proposed sub-section (1) reserves the right to apply for a mineral lease within an exploration licence area or an area for which an application for a licence has been made and for any mineral specified on the licence, to the licensee or applicant for that licence.

Proposed sub-section (2) renders it lawful for any person to possess a claim or to apply for a gold mining lease without consent of the licensee or applicant for a licence within the exploration licence area.

Proposed sub-section (3) provides for the protection of an area of 200 metres radius around each exploration site, both proposed and used, from being taken up by a person other than the licensee for eighteen months or until the licence expires, whichever is the sooner.

Proposed sub-section (4) gives an applicant for a claim or gold mining lease the right to inspect an authority to verify that the land applied for as the claim of lease is unavailable.

Proposed sub-section (5) specifies that an exploration site made by the licensee shall be marked in the prescribed manner.

Proposed sub-section (6) provides for that protection to be waived if the licensee does not undertake exploration on the site for which he has obtained authorization within six months of obtaining that authority.

*Clause 107* amends section 527 of the Principal Act by making the records of exploration surveys available to the public six months after the expiry of the exploration licence.

*Clause 108* amends the regulatory powers of section 528 of the Principal Act by—

- (a) increasing the application fee for an exploration licence or extension of a licence and any transfer, assignment or delegation of a licence from \$50 to \$1000;
- (b) providing for the returns of exploration surveys, and prescribing rents and royalties; and
- (c) prescribing the form and manner of marking exploration sites.

*Clause 109* repeals the Thirty-third Schedule of the Principal Act relating to annual rental costs for exploration licences.

*Clause 110* amends the *Petroleum Act 1958* by broadening references in sections 4 and 55 of that Act to include “hydrocarbon”, and “exploring” and a reference to processing to include “by the application of heat or by some chemical process”.

*Clause 111* amends the *Forests Act 1958* by inserting a sub-section into section 50 of that Act, to ensure that the Minister for Forests consults with the Minister for Minerals and Energy before regulations governing exploration and mining on certain forest lands are finalized.

*Clause 112* amends the *Explosives Act 1960* consequentially to amendments to the Mines Act.

*Clause 113* sets out provisions transitional.