

# Mines (Amendment) Bill 1987

## EXPLANATORY MEMORANDUM

*Clause 1* cites the purposes of the Act.

*Clause 2* provides that the Act with the exception of Sections 10, 11 and 12 comes into operation on Royal Assent and that Sections 10, 11 and 12 come into operation on a day to be proclaimed.

*Clause 3* provides that the Principal Act is the *Mines Act 1958*.

*Clause 4* provides for the amendment of Sections 45 (3A), 325 and 362 (1) of the Principal Act to allow for the transfer of development leases and prospecting area licences.

*Clause 5* provides for the amendment of Section 17 (1) of the Principal Act to amend the time allowed for registration of land as a claim after marking out to 14 days.

*Clause 6* provides for the amendment of Section 21A of the Principal Act to enable miners' right claims to be registered during the first twelve months operation of an exploration licence with the consent of the holder.

*Clause 7* provides for the amendment of Section 103 of the Principal Act to provide that the Mining Warden must have a knowledge of or experience in prospecting and mining.

*Clause 8* provides for the amendment of Regulation making powers in sections 380, 381 and 382 of the Principal Act to remove references to General Regulations. The clause also amends Section 380 of the Principal Act by removing a reference to Division and substituting "Act".

*Clause 9* provides for prospecting area licences to be included in Section 526 of the Principal Act.

*Clause 10* provides for the addition of a new Division and new sections into the Principal Act as a consequence of the repeal of the *Mining Development Act 1958*.

Proposed Section 505 provides a definition of 'testing plant'.

Proposed Section 505A provides that the Minister may purchase and erect machinery, plant and appliances for testing the value of metalliferous material.

Proposed Section 505B provides that a testing plant may only be established in a district or within a reasonable distance of which there is no existing battery site.

Proposed Section 505C provides that if the Minister is of the opinion that a testing plant is required in any district, the Minister must submit any reports and plans necessary to justify the expenditure to the Treasurer, and if the Treasurer approves, the Minister may erect the testing plant.

Proposed Section 505D provides that fees may be charged for the use of a testing plant or, if agreed, minerals or metals forfeited to meet this payment. The section also provides that minerals left at the testing plant beyond the prescribed period are forfeited to the Crown.

Proposed Section 506 provides the regulation making powers which are to apply to Division 6.

*Clause 11* provides for the repeal of the *Mining Development Act 1958*.

*Clause 12* provides for the consequential deletion of references to the *Mining Development Act 1958* in the Principal Act and in the *Nuclear Activities (Prohibitions) Act 1983*.