

VICTORIA*

LEGISLATION

REVISION OF MINES ACT 1958

In (1988) 7(2) of the AMPLA Bulletin, it was reported that the Victorian Minister for Industry, Technology and Resources had established a Working Group to review the Victorian Mines Act. The second stage of the review process has been completed with the release in December, 1988 of a Green Paper entitled "Review of the Mines Act 1958 — Options for Change." The Working Group received 280 submissions in response to its Issues Paper and the Green Paper, as its title suggests, sets out the various options applicable to the major issues involved in the study.

The overriding governmental objective of the Review is said to be "to achieve a simplified overall framework of regulation" which provides "clear and well defined responsibilities and minimise(s) duplication of authority" so as to "encourage and facilitate exploration and mining in Victoria in the context of the Government's Economic Social Justice and Conservation Strategies." (p.7) It should be pointed out that the current legislation covering exploration and mining on aboriginal land and the cultural heritage, the extractive industries and petroleum legislation are not within the scope of the current Review. The Review also assumes that the current regime of Crown ownership of minerals, which excludes private ownership, will be maintained under the new legislation.

The Green Paper canvasses options affecting the availability of minerals, new schemes for mining tenements, restrictions on mining and mechanisms for the making of land use decisions, forfeiture, real estate of titles, the proper role of the mining warden and the inclusion in the Mines Act of a separate legal framework catering for extraordinary resource developments. [For further details, see Bradley, D., below, p.000]

The Working Group has asked for submissions on the Green Paper to be made by 31 March, 1989. Thereafter it is proposed to prepare a White Paper indicating the Government's preferred position on the different issues, together with a draft Bill. If this timetable is followed, it is expected that a new Mines Act will be in place later this year.

MINISTERIAL CHANGE

Following recent changes to the Victorian Ministry in February 1989, Mr David White has been appointed Minister for Industry Technology and Resources replacing Mr Evan Walker.

*Garrie J. Moloney, Information Services Reporter.