

COAL ORDINANCE 1969

257

No. 61 of 1969

An Ordinance to amend the *Mineral Oil and Coal Ordinance 1922-1923*

[Reserved 9 October, 1969]

[Assented to 8 December, 1969]*

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:—

1.—(1.) This Ordinance may be cited as the *Coal Ordinance 1969*. Short title
and citation

(2.) The *Mineral Oil and Coal Ordinance 1922-1923* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance as amended by this Ordinance may be cited as the *Coal Ordinance 1922-1969*.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.† Commencement

3. The title of the Principal Ordinance is amended by omitting the words “Mineral Oil and”. Title

4. Section 3 of the Principal Ordinance is amended— Definitions

(a) by omitting from the definition of “Chief Warden” the words “the *Northern Territory Mining Act 1903* of the State of South Australia” and inserting in their stead the words “the *Mining Ordinance 1939-1969*”;

(b) by omitting the definitions of “Mineral Oil” and “Payable”; and

(c) by omitting from the definition of “Warden” the words “the *Northern Territory Mining Act 1903* of the State of South Australia” and inserting in their stead the words “the *Mining Ordinance 1939-1969*”.

5. Section 4 of the Principal Ordinance is amended—

(a) by omitting from sub-section (1.) the words “mineral oil or coal or both mineral oil and”;

(b) by omitting from sub-section (1.) the words “in respect of which the mineral oil and coal therein are reserved to or belong to the Crown,”;

Effect of licence
to search for
coal

* Notified in the *Northern Territory Government Gazette* No. 51 of 17 December, 1969, page 410.
† The date fixed was 24 December, 1969 (see *Northern Territory Government Gazette* No. 52 of 24 December, 1969, page 421).

- (c) by omitting from paragraph (b) of sub-section (1.) the words "mineral oil or coal or both, as the case may be," and inserting in their stead the word "coal";
- (d) by omitting paragraph (c) of sub-section (1.);
- (e) by omitting from paragraph (d) of sub-section (1.) the words "or mineral oil and coal"; and
- (f) by omitting sub-section (2.).

Application for
licence to search
for coal

6. Section 5 of the Principal Ordinance is amended by omitting from sub-section (1.) the words "mineral oil or coal, or both mineral oil and coal," and inserting in their stead the word "coal".

Repeal of
section 9

7. Section 9 of the Principal Ordinance is repealed.

Licensee to
engage in search
for coal

8. Section 16 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1.) the words "mineral oil or coal or both as the case may be," and inserting in their stead the word "coal";
- (b) by omitting from sub-section (2.) the word "white" and the words "mineral oil or"; and
- (c) by omitting from sub-section (3.) the words "mineral oil or coal or both as the case may be," and inserting in their stead the word "coal".

Penalty for
of licensee
infringing rights

9. Section 17 of the Principal Ordinance is amended by omitting the words "mineral oil or".

Reports by
licensees

10. Section 18 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1.) the word "white" and the words "mineral oil or";
- (b) by omitting from sub-section (2.) the words "mineral oil or" (twice occurring); and
- (c) by omitting sub-sections (3.) and (4.).

Coal leases

11. Section 19 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1.) the words "mineral oil leases or" and the words "mineral oil or";
- (b) by omitting from sub-section (3.) the words "a mineral oil lease or";
- (c) by omitting from sub-section (5.) the words "a mineral oil lease or";
- (d) by omitting the second proviso to sub-section (5.);
- (e) by omitting sub-section (6.);
- (f) by omitting from sub-section (8.) the words "a mineral oil lease or";
- (g) by omitting from sub-section (9.) the words "a mineral oil lease or"; and

(h) by omitting from sub-section (10.) the words "mineral oil lease or a".

12. Sections 21, 22 and 23 of the Principal Ordinance are repealed. Repeal of sections 21, 22 and 23

13. Section 24 of the Principal Ordinance is amended by omitting the words "mineral oil lease or". Lessee not to transfer without consent

14. Sections 25 and 26 of the Principal Ordinance are repealed. Repeal of sections 25 and 26

15. Sections 29 and 30 of the Principal Ordinance are repealed and the following section inserted in their stead:—

"29. A coal lease shall contain such reservations, covenants, conditions and provisions, including provisions relating to the payment of royalties, as the Minister thinks fit." Lease covenants

16. Section 31 of the Principal Ordinance is amended by omitting the words "mineral oil lease or". Right of lessee to surrender lease

17. Sections 33, 33A, 33B and 34 of the Principal Ordinance are repealed. Repeal of sections 33, 33A, 33B and 34

18.—(1.) Section 35 of the Principal Ordinance is amended— Regulations

(a) by omitting from sub-section (1.) the words "The Minister" and inserting in their stead the words "The Administrator in Council"; and

(b) by omitting sub-sections (2.) and (3.).

(2.) The regulations in force under the Principal Ordinance immediately before the commencement of this Ordinance are as valid and effectual as if they had been made under the Principal Ordinance as amended by this Ordinance and shall, subject to any regulations made under the Principal Ordinance as amended by this Ordinance, continue in force notwithstanding the amendments effected by the last preceding sub-section.

19. The Principal Ordinance is amended as set out in the Schedule to this Ordinance. Amendments in relation to decimal currency

THE SCHEDULE **Section 19**
AMENDMENTS OF THE PRINCIPAL ORDINANCE IN
RELATION TO DECIMAL CURRENCY

Provisions amended	Omit	Insert
Section 6 (1.)	Ten pounds	Twenty dollars
Section 17	One hundred pounds	Two hundred dollars
Section 19 (9.)	One shilling	Ten cents
Section 35 (1.) (b)	Fifty pounds	One hundred dollars

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