
MINING AMENDMENT ACT 1982

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MINING AMENDMENT ACT 1982

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 No. 85 of 1982
 —

AN ACT to amend the Mining Act 1929 for the purpose of making further provision with respect to fees payable under that Act.

[Royal Assent 23 December 1982]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Mining Amendment Act 1982*. Short title.

2—(1) This section and section 1 shall commence on the day on which this Act receives the royal assent. Commencement.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be fixed by proclamation.

3—In this Act, the *Mining Act 1929** is referred to as the *Principal Act*. Principal Act.

* 20 Geo. V No. 71. For this Act, as amended to 1968, see Appendix B to the Annual Volume of Statutes for 1970. Subsequently amended by No. 47 of 1970, No. 35 of 1973, No. 75 of 1973, No. 28 of 1976, No. 18 of 1978, No. 23 of 1979, No. 3 of 1981, and Nos. 9 and 10 of 1982.

Amendment of section 15A of Principal Act (Special prospector's licence).

4—Section 15A of the Principal Act is amended by omitting subsection (3) and substituting the following subsection:—

(3) There is payable in respect of the issue or extension of a special prospector's licence a fee as prescribed.

Amendment of section 15B of Principal Act (Exploration licences).

5—Section 15B of the Principal Act is amended by omitting subsection (6) and substituting the following subsection:—

(6) There is payable in respect of the issue or extension of an exploration licence a fee as prescribed.

Amendment of section 18 of Principal Act (Duplicate licence or right may be issued in certain cases).

6—Section 18 of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:—

(2) There is payable in respect of a duplicate of a document issued under subsection (1) a fee as prescribed.

Substitution of section 22 of Principal Act.

7—Section 22 of the Principal Act is repealed and the following section is substituted:—

Fees for licences and rights.

22—(1) There is payable, subject to subsection (2), in respect of the issue of a prospector's licence and the issue of a miner's right fees as prescribed.

(2) Where a prospector's licence or a miner's right is issued on or after 1st July in any year, the fee payable for the issue of such a licence or right is one-half of the fee so prescribed.

Amendment of section 29 of Principal Act (Rents payable in respect of leases).

8—Section 29 of the Principal Act is amended by omitting subsection (1) and substituting the following subsection:—

(1) Subject to the provisions in this Act relating to special leases, renewal leases, and reward leases, there is payable in respect of a lease granted under this Act an annual rent at such rate—

(a) in the case of an oil lease, as the Minister may determine;

(b) in the case of a mineral lease for mining minerals other than alluvial minerals, as may be prescribed; and

(c) in the case of any other lease, as may be prescribed.

9—Section 49A of the Principal Act is repealed and the following section is substituted:—

Substitution of section 49A of Principal Act.

49A—(1) A lessee shall not grant a sub-lease of a lease granted under this Act except with the consent in writing of the Minister.

Sub-leases.

(2) Where, under subsection (1), the Minister consents to the granting of a sub-lease of a lease, the lessee shall—

(a) within 7 days after the granting of the sub-lease, file a copy of the lease in the office of the Director; and

(b) pay the prescribed fee.

10—Section 63 (4) of the Principal Act is amended by omitting “of one dollar” and substituting “at a rent prescribed”

Amendment of section 63 of Principal Act (Disposal of lessee's property left on land).

11—Section 70 of the Principal Act is amended by omitting subsection (3) and substituting the following subsection:—

Amendment of section 70 of Principal Act (Permits to enter and prospect, etc., on private land).

(3) There is payable in respect of the issue or extension of a permit a fee as prescribed.

