



New South Wales

# Mining (General) Amendment (Minerals and Royalties) Regulation 2001

under the

Mining Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Mining Act 1992*.

The Hon EDWARD OBEID, M.L.C.,

Minister for Mineral Resources

## Explanatory note

The objects of this Regulation are as follows:

- (a) to update the Schedules in the *Mining (General) Regulation 1997* that prescribe minerals and groups of minerals for the purposes of the definitions of those terms in the *Mining Act 1992*,
- (b) to alter the base rates of royalties payable under that Act in respect of certain publicly owned minerals,
- (c) to define certain minerals and groups of minerals that are prescribed as referred to in paragraph (a),
- (d) to make consequential savings and transitional provisions.

This Regulation is made under the *Mining Act 1992*, including sections 283 (Rate of royalty) and 388 (the general regulation-making power).

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Clause 1 Mining (General) Amendment (Minerals and Royalties) Regulation 2001

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**Mining (General) Amendment (Minerals and Royalties) Regulation 2001**

**1 Name of Regulation**

This Regulation is the *Mining (General) Amendment (Minerals and Royalties) Regulation 2001*.

**2 Commencement**

This Regulation commences on 1 July 2001.

**3 Amendment of Mining (General) Regulation 1997**

The *Mining (General) Regulation 1997* is amended as set out in Schedule 1.

**4 Notes**

The explanatory note does not form part of this Regulation.

## Schedule 1 Amendments

(Clause 3)

### [1] Clause 3 Definitions

Insert in alphabetical order in clause 3 (1):

*agricultural lime* means crushed or ground limestone suitable for use in improving the condition of soil.

*clay/shale* means clay or shale other than structural clay.

*dimension stone* means any rock, other than sandstone, that is quarried in blocks or slabs for building, decorative or other purposes.

*structural clay* means clay or shale used in the manufacture of fired clay building or construction products, such as bricks, pipes and quarry tiles, but does not include clay or shale suitable for use in road making or as fill.

### [2] Clause 4 Meaning of “mineral” and “geothermal substance”

Insert “, such as hot dry rock,” after “substance” where firstly occurring in clause 4 (2).

### [3] Clause 50

Insert after clause 49:

#### 50 Savings

A reference in a mining lease or a mineral claim (being a lease or claim that has effect on the commencement of the *Mining (General) Amendment (Minerals and Royalties) Regulation 2001*) to a mineral listed in Column 1 of the Table to this clause is taken to include a reference to the mineral specified in Column 2 opposite the firstmentioned mineral:

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<b>Column 1</b>	<b>Column 2</b>
barytes	barite
bentonite fuller's earth	bentonite (including fuller's earth)
beryllium and its ores	beryllium minerals
bloating clay brick clay pipeclay	structural clay
clay shale	structural clay clay/shale
diatomaceous earth	diatomite
feldspar	feldspathic materials
fire clay pottery clay	kaolin
fluorspar	fluorite
geothermal substances	geothermal substances (including hot dry rock)
granite slate syenite	dimension stone
iron iron ore ironstone oxide of iron laterite	iron minerals
platinoid minerals	platinum group minerals

**[4] Schedule 1**

Omit the Schedule. Insert instead:

**Schedule 1 Minerals**

(Clause 4)

agate	graphite
agricultural lime	gypsum
antimony	halite (including solar salt)
apatite	ilmenite
arsenic	indium
asbestos	iron minerals
barite	jade
bauxite	kaolin
bentonite (including fuller's earth)	lead
beryllium minerals	leucoxene
bismuth	limestone
borates	lithium
cadmium	magnesite
caesium	magnesium salts
calcite	manganese
chalcedony	marble
chert	marine aggregate
chlorite	mercury
chromite	mica
clay/shale	mineral pigments
coal	molybdenite
cobalt	monazite
columbium	nephrite
copper	nickel
corundum	niobium
cryolite	oil shale
diamond	olivine
diatomite	opal
dimension stone	ores of silicon
dolomite	peat
emerald	perlite
emery	phosphates
feldspathic materials	platinum group minerals
fluorite	platinum
galena	potassium minerals
garnet	potassium salts
geothermal substances	pyrophyllite
germanium	quartz crystal
gold	quartzite

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rare earth minerals	sulphur
reef quartz	talc
rhodonite	tantalum
rubidium	thorium
ruby	tin
rutile	topaz
sapphire	tourmaline
scandium and its ores	tungsten and its ores
selenium	turquoise
serpentine	vanadium
sillimanite-group minerals	vermiculite
silver	wollastonite
sodium salts	zeolites
staurolite	zinc
strontium minerals	zircon
structural clay	zirconia

### [5] Schedule 2

Omit the Schedule. Insert instead:

## Schedule 2 Groups of minerals

(Clause 5)

### Group 1 (Metallic minerals)

antimony	molybdenite
arsenic	nickel
bismuth	niobium
cadmium	platinum group minerals
caesium	platinum
chromite	rare earth minerals
cobalt	rubidium
columbium	scandium and its ores
copper	selenium
galena	silver
germanium	sulphur
gold	tantalum
indium	thorium
iron minerals	tin
lead	tungsten and its ores
lithium	vanadium
manganese	zinc
mercury	zirconia

**Group 2 (Non-metallic minerals)**

agricultural lime	magnesium salts
apatite	marble
asbestos	mica
barite	mineral pigments
bauxite	olivine
beryllium minerals	ores of silicon
borates	peat
calcite	perlite
chert	phosphates
chlorite	potassium minerals
cryolite	potassium salts
diatomite	pyrophyllite
dimension stone	quartzite
dolomite	reef quartz
emerald	serpentine
emery	sillimanite-group minerals
feldspathic materials	sodium salts
fluorite	staurolite
garnet	strontium minerals
graphite	talc
gypsum	topaz
halite (including solar salt)	vermiculite
limestone	wollastonite
magnesite	zeolites

**Group 3 (Semi-precious stones)**

agate	quartz crystal
chalcedony	rhodonite
jade	tourmaline
nephrite	turquoise

**Group 4 (Marine aggregate)**

marine aggregate

**Group 5 (Clay minerals)**

bentonite (including fuller's earth)	kaolin
clay/shale	structural clay

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**Group 6 (Diamond, corundum, ruby and sapphire)**

corundum	ruby
diamond	sapphire

**Group 7 (Opal)**

opal

**Group 8 (Geothermal substances)**

geothermal substances

**Group 9 (Coal and oil shale)**

coal	oil shale
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**Group 10 (Mineral sands)**

ilmenite	rutile
leucoxene	zircon
monazite	



**[6] Schedule 5**

Omit the Schedule. Insert instead:

**Schedule 5 Rate of royalty**

(Clause 39)

<b>Mineral</b>	<b>\$ per tonne</b>
agricultural lime	\$ 0.35
barite	\$ 0.70
bauxite	\$ 0.35
bentonite (including fuller's earth)	\$ 0.70
borates	\$ 0.70
calcite	\$ 0.40
chert	\$ 0.35
chlorite	\$ 0.70
clay/shale	\$ 0.35
coal	\$ 1.70
diatomite	\$ 0.70
dimension stone	\$ 0.70
dolomite	\$ 0.40
feldspathic materials	\$ 0.70
fluorite	\$ 0.70
gypsum	\$ 0.35
halite (including solar salt)	\$ 0.40
kaolin	\$ 0.70
limestone	\$ 0.40

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<b>Mineral</b>	<b>\$ per tonne</b>
magnesite	\$ 0.70
magnesium salts	\$ 0.40
marble	\$ 0.70
mica	\$ 0.70
mineral pigments	\$ 0.70
olivine	\$ 0.70
peat	\$ 0.70
perlite	\$ 0.70
phosphates	\$ 0.70
potassium minerals	\$ 0.70
potassium salts	\$ 0.40
pyrophyllite	\$ 0.70
quartzite	\$ 0.70
reef quartz	\$ 0.70
serpentine	\$ 0.70
sillimanite-group minerals	\$ 0.70
sodium salts	\$ 0.40
staurolite	\$ 0.70
structural clay	\$ 0.35
talc	\$ 0.70
vermiculite	\$ 0.70
wollastonite	\$ 0.70
zeolites	\$ 0.70

BY AUTHORITY