



New South Wales

Mining Amendment Regulation 2009

under the

Mining Act 1992

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

IAN MACDONALD, MLC
Minister for Mineral Resources

Explanatory note

The object of this Regulation is to amend the *Mining Regulation 2003* consequentially on amendments made to the *Mining Act 1992* by the *Courts and Crimes Legislation Further Amendment Act 2008* in respect of:

- (a) the abolition of Wardens' Courts, and
- (b) the necessary qualifications of a person to whom objections to mining leases and proposed opal prospecting areas are referred.

This Regulation is made under the *Mining Act 1992*, including section 388 (the general regulation-making power) and clause 23B (1) of Schedule 1.

2009 No 115

Clause 1 Mining Amendment Regulation 2009

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1 Name of Regulation

This Regulation is the *Mining Amendment Regulation 2009*.

2 Commencement

This Regulation takes effect on 7 April 2009 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Mining Regulation 2003

[1] Clauses 24 (4) (a) and 34 (4) (a)

Omit “a warden” wherever occurring.

Insert instead “the Land and Environment Court”.

[2] Clause 36 Objections

Insert at the end of the clause:

- (2) For the purposes of section 222 (4) of the Act, registration as a valuer under the *Valuers Act 2003* is prescribed as a qualification.

[3] Clause 57A

Insert after clause 57:

57A Qualification of persons to whom objections to significant improvement claims are referred

For the purposes of clause 23B (1) of Schedule 1 to the Act, registration as a valuer under the *Valuers Act 2003* is prescribed as a qualification.

[4] Schedule 1 Forms

Omit “*warden*” from Form 3.