

MINING (AMENDMENT) BILL 1990

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Mining Act 1973 so as:

- (a) to abolish prospecting licences and to provide that existing prospecting licences and applications for prospecting licences or renewals of prospecting licences are to be taken to be exploration licences or applications for exploration licences or renewals of exploration licences; and
- (b) to vary certain procedures and conditions applying to opal prospecting licences, including:
 - (i) reducing from 28 days to 10 days the period during which an opal prospecting licence may not be granted over the same opal prospecting block as that over which another opal prospecting licence is or has within that time been in force; and
 - (ii) varying the term of an opal prospecting licence from 28 days to the period specified by the Minister on the map relating to the relevant opal prospecting block; and
- (c) to prevent the registration of a claim, without the consent of the occupier, over land within 200 metres of a woolshed or shearing shed or on which there is a tank or drain; and
- (d) to require payment of compensation to an owner or occupier of land to which an opal prospecting licence or claim relates before any prospecting or mining operations are commenced and to provide that if those operations are commenced before the compensation is paid, the opal prospecting licence or claim will be cancelled; and
- (e) to provide that an application for an authority may be lodged with any mining registrar and not only with a mining registrar for a specific division of the mining district within which the affected land is situated; and

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(f) to enact transitional provisions and savings.

The Bill also amends the Coal Mining Act 1973 as a consequence of the amendments made by Schedule 1 that abolish prospecting licences.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 is a formal provision that gives effect to Schedules 1-4.

Clause 4 is a formal provision that gives effect to the Schedule of amendments to the Coal Mining Act 1973.

Schedule 1 makes the amendments relating to abolition of prospecting licences referred to in paragraph (a) above.

Schedule 2 makes the amendments relating to claims and opal prospecting licences referred to in paragraphs (b)-(d) above.

Schedule 3 makes the amendments relating to the lodgment of applications for authorities referred to in paragraph (e) above.

Schedule 4 makes amendments concerning transitional provisions and savings referred to in paragraph (f) above.

Schedule 5 makes the amendments to the Coal Mining Act 1973 referred to above.
