

[Act 1996 No 137]



New South Wales

# Mining Legislation Amendment Bill 1996

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.\*

### Overview of Bill

The object of this Bill is to amend the *Mining Act 1992* in relation to the following matters:

- (a) offences concerning the theft of minerals,
- (b) unlawful entry to the sites of mineral claims,
- (c) fossicking,
- (d) other activities in the nature of prospecting and mining,
- (e) royalty on coal,
- (f) fees,
- (g) security deposits,

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\* Amended in committee—see table at end of volume.

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- (h) compensation to owners and occupiers of land,
- (i) protection of dwelling-houses, gardens and improvements,
- (j) protection of mining operations in connection with privately owned minerals,
- (k) mining purposes,
- (l) renewals of authorities and mineral claims,
- (m) partial transfers of exploration licences,
- (n) cancellation of mineral claims,
- (o) procedural irregularities concerning mineral claims,
- (p) royalty officers and deputy mining registrars,
- (q) powers of entry under certain permits,
- (r) consolidation of mining leases,
- (s) prevention of damage to certain dams,
- (t) miscellaneous matters,
- (u) savings and transitional provisions.

The Bill also makes minor, consequential and ancillary amendments to various other Acts and instruments.

A detailed explanation of each amendment is set out in the Bill immediately after the amendment.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision giving effect to a Schedule of amendments to the *Mining Act 1992*.

**Clause 4** is a formal provision giving effect to a Schedule of amendments to various other Acts and instruments. The clause also provides that the amendments made by the proposed Act to the *Mining (General) Regulation 1992* do not affect the future amendment or repeal of that Regulation.

**Clause 5** provides that explanatory notes in the proposed Act do not form part of the proposed Act.

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**Schedule 1** contains amendments to the *Mining Act 1992*.

**Schedule 2** contains amendments to the following Acts and instruments:

- *Aboriginal Land Rights Act 1983 No 42*
- *Coal Mines Regulation Act 1982 No 67*
- *Crimes Act 1900 No 40*
- *Criminal Procedure Act 1986 No 209*
- *Crown Lands Act 1989 No 6*
- *Mines Inspection Act 1901 No 75*
- *Mining (General) Regulation 1992*
- *National Parks and Wildlife Act 1974 No 80*
- *State Coal Mines Act 1912 No 70*