

Mine Safety (Cost Recovery) Regulation 2005 (2006 SI 10)

[2006-10]



New South Wales

Status Information

Currency of version

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

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Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Mine Safety (Cost Recovery) Act 2005*.

IAN MACDONALD, M.L.C., Minister for Mineral Resources

1 Name of Regulation

This Regulation is the *Mine Safety (Cost Recovery) Regulation 2005*.

2 Definitions

In this Regulation:

implementation period means the period between the commencement of the Act and the date on which the first relevant period (as determined by the Director-General under section 9 of the Act) begins.

the Act means the *Mine Safety (Cost Recovery) Act 2005*.

3 Phasing-in of application of Fund to meet Department's expenditure

Any expenditure incurred by the Department during the implementation period:

- (a) in carrying out regulatory activities under or in connection with the mine safety legislation, or
 - (b) in the administration or execution of the mine safety legislation (other than the Act),
- is not required to be paid from the Fund.

4 Expenditure incurred during implementation period

The amount estimated by the Director-General under section 9 of the Act for a relevant period (whether the first relevant period as determined by the Director-General under that section or any subsequent relevant period) may include any one or more of the following amounts that are incurred during the implementation period:

- (a) any expenditure incurred by the Department in the administration or execution of the Act,
- (b) any expenses incurred by the WorkCover Authority in connection with its functions under the Act,
- (c) any expenses incurred in relation to the administration of the Fund,
- (d) any expenses incurred by insurers in connection with the Act that are payable in accordance with arrangements referred to in section 12 (1) (f) of the Act.

5 Waiver of liability to pay contributions

- (1) The Director-General may, on such grounds or in such circumstances as the Director-General may determine, waive an insurer's liability (or the liability of specified class of insurers) to pay a contribution under section 10 of the Act.
- (2) Any decision by the Director-General to waive the liability to pay a contribution under section 10 of the Act is to have effect according to its tenor.

6 Delegation of functions—prescribed persons

For the purposes of section 14 (b) of the Act, members of staff of the WorkCover Authority are authorised as a class of persons to whom the functions of the Director-General under the Act may be delegated.