

Mine Safety (Cost Recovery) Regulation 2013

[2013-482]



New South Wales

Status Information

Currency of version

Repealed version for 8 June 2017 to 31 July 2019 (accessed 23 November 2024 at 9:46)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

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

Notes—

- **Repeal**

This Regulation was repealed by cl 7 of the [Mine and Petroleum Site Safety \(Cost Recovery\) Regulation 2019 \(342\)](#) with effect from 1.8.2019.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 August 2019

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Mine Safety (Cost Recovery) Regulation 2013



New South Wales

1 Name of Regulation

This Regulation is the *Mine Safety (Cost Recovery) Regulation 2013*.

2 Commencement

This Regulation commences on 1 September 2013 and is required to be published on the NSW legislation website.

Note—

This Regulation replaces the *Mine Safety (Cost Recovery) Regulation 2005* which is repealed on 1 September 2013 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

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

relevant period has the same meaning as in section 9 of the Act.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Additional payments authorised to be paid from Fund

For the purposes of section 7 (1) (e) of the Act, the following money is authorised to be paid from the Fund:

- (a) all payments required to meet expenditure incurred by the Department in carrying out regulatory activities under or in connection with the *Explosives Act 2003*,
- (b) all other amounts required to meet expenditure incurred by the Department in the administration or execution of the *Explosives Act 2003*,
- (c) all payments required to meet expenditure incurred by the Department in exercising functions under or in connection with the *Radiation Control Act 1990*.

Note—

Clause 6 of the *Explosives Regulation 2013* provides that the Secretary of the Department of Planning and

Environment is the “regulatory authority” for coal workplaces and mining workplaces (within the meaning of that Regulation) for the purposes of the *Explosives Act 2003* in relation to certain functions. Section 5A of the *Radiation Control Act 1990* provides that the Secretary of the Department of Planning and Environment may exercise certain functions prescribed by regulations made under that Act. For that purpose, clause 47 of the *Radiation Control Regulation 2013* prescribes certain functions of the *Protection of the Environment Operations Act 1997* (being functions that are extended to the exercise of powers in connection with the *Radiation Control Act 1990* and that Regulation by the operation of section 15 of that Act).

5 Report

- (1) Within 6 months after the end of each relevant period, the Secretary is to prepare a report containing an overview of payments made from the Fund.
- (2) The report is to be published on the Department’s website.

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 Secretary under the Act may be delegated.