

House of Assembly

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South Australia

Mining (Royalty) Amendment Bill 2005

A BILL FOR

An Act to amend the *Mining Act 1971*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Mining (Royalty) Amendment Bill Act 2005*.

2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Mining Act 1971*

4—Amendment of section 17—Royalty

- (1) Section 17(2)—delete subsection (2) and substitute:
 - (2) Royalty will be equivalent to—
 - (a) in the case of extractive minerals—35 cents per tonne, or such lesser amount as may be prescribed by the regulations;
 - or

- (b) in any other case—the prescribed percentage of the value of the minerals,
as assessed at the mine gate.
- (2) Section 17(8)—after "pay royalty" insert:
on any minerals other than extractive minerals

5—Amendment of section 63—Extractive Areas Rehabilitation Fund

- (1) Section 63(2)—delete subsection (2) and substitute:
 - (2) From the royalty received or recovered by the Minister on extractive minerals, the Minister will pay the prescribed rate into the fund.
- (2) Section 63(3)—delete "The Minister" and substitute:
Subject to subsection (4), the Minister
- (3) Section 63(3)(a)—after "minerals" insert:
(or any costs associated with ensuring that such land is rehabilitated in accordance with the requirements under this Act)
- (4) Section 63(3)(b)—after "minerals" insert:
(or any costs associated with ensuring that such measures are implemented or with monitoring such measures)
- (5) Section 63—after subsection (3) insert:
 - (4) The total expenditure in a single financial year of costs associated with ensuring that—
 - (a) the land referred to in subsection (3)(a) is rehabilitated in accordance with the requirements under this Act; and
 - (b) the measures referred to in subsection (3)(b) are implemented or monitored,must not exceed an amount equal to 4 cents per tonne for each tonne of extractive minerals on which royalty is payable into the fund for the financial year preceding that year.
 - (5) In this section—
prescribed rate means 25 cents per tonne of extractive minerals, or such lesser amount as may be prescribed by the regulations.