

South Australia

# **Mining (Prescribed Costs) Amendment Regulations 2023**

under the *Mining Act 1971*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Mining (Prescribed Costs) Amendment Regulations 2023*.

### **2—Commencement**

These regulations come into operation on 1 July 2023.

## **Part 2—Amendment of *Mining Regulations 2020***

### **3—Substitution of regulation 11**

Regulation 11—delete the regulation and substitute:

#### **11—Prescribed costs**

For the purposes of section 17(8) and (8a) of the Act, costs of the following kinds, up to an amount that does not exceed 30% of the market value of the minerals on which royalty is payable, are prescribed:

- (a) costs (excluding GST) genuinely incurred in transporting the minerals to a point of sale (including, for example, packaging, storage, loading, permit, fees, insurance and depreciation);
  - (b) in the case of section 17(8a)—costs (excluding GST) genuinely incurred in shipping the minerals to a genuine purchaser in a sale at arms length;
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- (c) any other costs (excluding GST) determined by the Minister to be a cost of a prescribed kind for the purposes of section 17(8) or (8a) of the Act (or both), (which may vary according to a particular tenement holder, class of tenement holder, or all tenement holders).

**Editorial note—**

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council

on 15 June 2023

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