

NORTHERN TERRITORY OF AUSTRALIA

MINING AMENDMENT ACT 2004

Act No. 16 of 2004

TABLE OF PROVISIONS

Section

1. Short title
2. Principal Act
3. New section
 - 3A. Objects
4. Grant of exploration licence
5. Application for mineral lease
6. Grant of mineral lease



NORTHERN TERRITORY OF AUSTRALIA

Act No. 16 of 2004

AN ACT

to amend the *Mining Act*

[Assented to 15 March 2004]

[Second reading 26 November 2003]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Mining Amendment Act 2004*.

2. Principal Act

The *Mining Act* is in this Act referred to as the Principal Act.

3. New section

The Principal Act is amended by inserting after section 3 the following:

"3A. Objects

"(1) The objects of this Act are –

- (a) to provide a framework within which persons may undertake activities to explore for and mine mineral resources; and
- (b) to enable the value of the mineral resources in the Territory to be maximised.

- "(2) The objects are to be achieved by –
- (a) transferring the right to explore for or mine minerals from the Crown to other persons;
 - (b) establishing a legally effective system of transferable titles to rights to explore, extract, process and carry out other activities associated with maximising the mineral resource;
 - (c) ensuring that the holders of mining interests actively work the areas held under their mining interests and develop commercially viable mineral deposits discovered by them;
 - (d) reducing risks of damage to the environment caused by mining to an optimal level taking into account the full costs and benefits of doing so;
 - (e) collecting information about the geological and mineral resources of the Territory and disseminating that information; and
 - (f) carrying out the administration of this Act and the instruments of a legislative or administrative character made under this Act in an efficient and responsible manner."

4. Grant of exploration licence

Section 16 of the Principal Act is amended –

- (a) by omitting from subsection (3)(a) "licence;" and substituting "licence; or";
- (b) by omitting from subsection (3)(b) "pay; or" and substituting "pay."; and
- (c) by omitting subsection (3)(c).

5. Application for mineral lease

Section 54 of the Principal Act is amended –

- (a) by omitting "(1)";
- (b) by omitting from subsection (1) "the mining of a particular mineral or particular minerals" and substituting "mining minerals other than a mineral or minerals specified in the lease document as a mineral or minerals that the miner may not mine"; and
- (c) by omitting subsection (2).

6. Grant of mineral lease

Section 60 of the Principal Act is amended –

- (a) by omitting from subsection (1)(a) "the mineral or minerals specified in the lease document" and substituting "minerals (other than a mineral specified in the lease document as a mineral that the miner may not mine)";
 - (b) by omitting from subsection (1)(a) "that mineral or those";
 - (c) by omitting from subsection (1)(b) "a specified mineral or"; and
 - (d) by omitting from subsection (2)(c) "the mineral or minerals specified in the lease document" and substituting "minerals".
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