



NORTHERN TERRITORY OF AUSTRALIA

No. 18 of 1982

AN ACT

To amend the *Mining Act 1980*

[Assented to 15 April 1982]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Mining Act 1980 Amendment Act 1982*.

2. PRINCIPAL ACT

The *Mining Act 1980* as amended is in this Act referred to as the Principal Act.

3. NO NEGOTIATIONS WITHOUT CONSENT OF MINISTER

Section 137 of the Principal Act is amended -

(a) by omitting from sub-section (3)(a) "primarily responsible for the administration of the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth"; and

(b) by adding at the end the following:

"(5) In this section -

'Commonwealth Minister' means the Commonwealth Minister primarily responsible for the administration of the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth;

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'negotiations' includes the placing before the Land Council or the Commonwealth Minister of proposals referred to in section 40(2) of the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth."

4. PRESCRIBED SUBSTANCES UNDER *ATOMIC ENERGY ACT*

Section 175 of the Principal Act is amended by omitting sub-section (3) and substituting the following:

"(3) The lessee of a mineral lease granted in respect of a prescribed substance referred to in sub-section (1) is liable to pay royalty to the Commonwealth, in respect of that prescribed substance obtained from the land comprised in the lease, in such manner and at such times, and at such rate on an amount calculated or assessed in accordance with such method, as are -

- (a) specified in the lease; or
- (b) varied or determined in accordance with the terms of the lease."

5. SAVING OF SPECIFIC APPLICATIONS

Section 191A of the Principal Act is amended -

- (a) by omitting from sub-section (1) "and to section 191(15) and (15B)";
- (b) by omitting from sub-section (2) "subject to section 175(3), in respect of minerals" and substituting "in respect of minerals (other than prescribed substances within the meaning of the *Atomic Energy Act 1953* of the Commonwealth)".