

NORTHERN TERRITORY OF AUSTRALIA
AMENDMENTS OF MINING REGULATIONS

Regulations 2000, No. 34

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NORTHERN TERRITORY OF AUSTRALIA

Regulations 2000, No. 34*

Regulations under the *Mining Act*

I, NEIL RAYMOND CONN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Mining Act*.

Dated 30 June 2000.

N. R. CONN
Administrator

By His Honour's Command

D. W. MANZIE
Minister for Resource Development

* Notified in the *Northern Territory Government Gazette* on 30 June 2000.

AMENDMENTS OF MINING REGULATIONS

1. Rent for extractive mineral permit

Regulation 14 of the Mining Regulations is amended –

- (a) by omitting from subregulation (1) "or part of a year"; and
- (b) by omitting subregulation (2) and substituting the following:

"(2) The rent for the second year of an extractive mineral permit, or the second year of a renewal period of an extractive mineral permit, is payable within one month before the expiration of the previous 12 month period."

2. New regulation

The Mining Regulations are amended by inserting after regulation 14 the following:

"15. Rent increase to cover GST

"(1) If an annual rent prescribed by these Regulations is payable in respect of a period any of which is after 30 June 2000, the amount of the rent payable in respect of the period after 30 June 2000 is increased by the amount of the GST component.

"(2) Despite that rent in respect of a period after 30 June 2000 may have been paid, the additional amount of the GST component may be separately charged and is payable by the holder of the lease, licence or permit (as the case may be) within one month after the date the charge is made.

"(3) The GST component of rent in respect of a period after 30 June 2000 is to be calculated in accordance with the formula:

$$\text{GST component} = (\text{AR}/10) \times (\text{GST period}/366)$$

where –

AR is the relevant annual rent prescribed; and

GST period is the number of days that are in the period after 30 June 2000.

"(4) In this regulation, 'GST' has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth."

3. Repeal and substitution

Regulation 17 of the Mining Regulations is repealed and the following substituted:

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"17. Time of payment of rent

"The rent referred to in regulations 11, 12, and 13 for each year (other than the first year) is payable within one month before the expiration of the previous 12 month period."

4. Form of fossicker's permit

Regulation 18 of the Mining Regulations is amended by omitting "shall be in accordance with Form 3" and substituting "is to contain the following information:

- (a) the name and address of the permit holder;
- (b) the date of issue;
- (c) a statement that the permit is valid for one year from the date of issue".

5. Repeal and substitution

Regulation 18A of the Mining Regulations is repealed and the following substituted:

"18A Term of fossicker's permit

"For the purposes of section 130C(1)(b) of the Act, the prescribed term of a fossicker's permit is –

- (a) in the case of a permit issued before 30 June 2000 – as expressed on the face of the permit; and
- (b) in the case of a permit issued after 30 June 2000 – one year."

6. Fossicking permit issued for educational purposes

Regulation 18B of the Mining Regulations is amended by omitting subregulation (1) and substituting the following:

"(1) If the person to whom an application is made for a fossicker's permit is satisfied that the purpose for the application is to conduct a course of study or some other educational service or program (however described), he or she must issue the fossicker's permit."

7. Further amendments

The Mining Regulations are amended as set out in the Schedule.

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Regulation 7

| Provision | Amendment | |
|--------------------------------------|---------------------------------------|---|
| | omit | substitute |
| Regulation 7(1)(a) | "or parts of those years" | |
| Regulation 7(1)(b), (c), (d) and (e) | "or part of that year" | |
| Regulation 7(2) | "or part of a year" | |
| Regulation 8(1) | "or part of the year" | |
| Regulation 8(2) | the whole subregulation | |
| Regulation 8(3) | "shall be payable on an annual basis" | "for each year (other than the first year) is payable within one month before the expiration of the previous 12 month period" |
| Regulations 9, 11, 12, and 13 | "or part of a year" | |
| Schedule 1 – Item 2A(a) | "for the term of – | "nil" |
| | 1 month | 5.00 |
| | 4 months | 10.00 |
| | 12 months | 20.00 |
| | 5 years | 50.00" |
| Schedule 4 – Form 3 | the whole form | |

Alteration to regulation heading

On the day on which the Mining Regulations are amended by these Regulations, the heading to regulation 9 is altered by omitting "lease" and substituting "licence".