

Mines and Energy Legislation Amendment Bill 2008

Amendments agreed to during Consideration

- 1 **Clauses 21, 22 and 23—**
At page 16, lines 10 to 27 and page 17, lines 1 to 3—
omit.

- 2 **Clause 32 (Amendment of s 137 (Grant of exploration permit))—**
At page 21, lines 2 to 6—
omit.

- 3 **Clause 32 (Amendment of s 137 (Grant of exploration permit))—**
At page 21, lines 17 to 21—
omit.

- 4 **Clause 34 (Amendment of s 141 (Conditions of exploration permit))—**
At page 22, lines 11 to 20—
omit, insert—
'(2) Section 141(6), '(2)'—
omit.'

- 5 **Clause 35 (Amendment of s 141C (Application to vary conditions of existing permit))—**
At page 22, lines 23 to 26 and page 23 lines 1 to 6—
omit, insert—

‘Section 141C—

insert—

- ‘(5) The chief executive must, within 5 business days after making a variation under subsection (3), give the EPA administering authority written notice of the variation.’.’

6 Clause 37 (Amendment of s 147A (Decision on application))—

At page 23, lines 11 to 23—

omit.

7 Clause 71 (Insertion of new pt 7AAB)—

At page 46, lines 22 and 23—

omit, insert—

- ‘(d) land prescribed under a regulation (*prescribed land*).’.

8 Clause 71 (Insertion of new pt 7AAB)—

At page 46, lines 24 to 26—

omit, insert—

- ‘ ‘(2) A regulation may be made under subsection (1)(d) only if the land to which this section applies will, after the making of the regulation, be a contiguous parcel of land.’.

9 Clause 75 (Insertion of new pt 19, div 1AA)—

At page 55 lines 19 to 27, page 56, lines 1 to 30, page 57, lines 1 to 28 and page 58, lines 1 to 3—

omit.

10 Clause 76 (Amendment of s 741 (Unfinished special coal mining lease applications))—

At page 58, lines 4 to 14—

omit.

11 Clause 77 (Insertion of new pt 19, div 11)—

At page 60, lines 8 to 30 and page 61, lines 1 to 17—

omit, insert—

‘ 771 Payment of rent for special agreement Act leases

- ‘(1) From the commencement of this section—
- (a) the designated rental provision applies for the payment of rent under any special agreement Act lease; and
 - (b) a provision of any of the following ceases to apply to the extent the provision conflicts with the designated rental provision—
 - (i) a special agreement Act;
 - (ii) an agreement mentioned in a special agreement Act;
 - (iii) a special agreement Act lease.
- ‘(2) The application of the designated rental provision is subject to subdivision 1.
- ‘(3) To remove any doubt, it is declared that the designated rental provision applies as mentioned in subsection (1)(a) despite the relevant special agreement Act and the repealed transitional schedule.
- ‘(4) This section does not affect or otherwise limit the application of section 290A to a special agreement Act lease.
- ‘(5) In this section—
- designated rental provision***, for a special agreement Act lease, means—
- (a) if the lease has been renewed since 1 September 1990—section 290; or
 - (b) if the lease has not been renewed since 1 September 1990—modified section 290.

modified section 290 means section 290 changed so that the references in section 290(4) and (5)(b) to the prescribed amount for a rental year are, for a special agreement Act lease, references to the rental payable for the period that corresponds to that year under the relevant—

- (a) special agreement Act; or
- (b) agreement mentioned in a special agreement Act; or
- (c) special agreement Act lease.

repealed transitional schedule means the former schedule to this Act that was repealed by the *Offshore Minerals Act 1998*.

Editor's note—

For access to the schedule, see reprint 4 of this Act.

special agreement Act means an Act mentioned in the table to section 3(1) of the repealed transitional schedule.

special agreement Act lease means a lease mentioned in section 3(1)(b) of the repealed transitional schedule.'.'