Mineral and Energy Resources (Financial Provisioning) Act 2018

Explanatory notes for SL 2019 No. 15

made under the

Mineral and Energy Resources (Financial Provisioning) Act 2018

General Outline

Short title

Mineral and Energy Resources (Financial Provisioning) Act 2018

Authorising law

Section 2 of the *Mineral and Energy Resources (Financial Provisioning) Act 2018.*

Policy objectives and the reasons for them

The objective of the Proclamation is to fix 1 April 2019 as the date of commencement of the *Mineral and Energy Resources (Financial Provisioning) Act 2018.*

Achievement of policy objectives

Commencing the provisions of the Act will achieve the policy objective.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the objectives of the Act.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Benefits and costs of implementation

As outlined in the explanatory notes to the Mineral and Energy Resources (Financial Provisioning) Bill 2018:

- the Government will incur costs in the development and implementation of the financial provisioning scheme and the rehabilitation framework, which will be met by one-off funding to be be recovered from the scheme;
- existing Government employee costs will not be recovered;
- the scheme seeks to be substantially self-funded; and
- following implementation of the scheme, the costs to Government from disclaimed un-rehabilitated mine sites will be substantially lessened.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

The results of consultation in relation to the Act are detailed in the explanatory notes to the Mineral and Energy Resources (Financial Provisioning) Bill 2018.

During the preparation of the Mineral and Energy Resources (Financial Provisioning) Bill 2018 and the preparation of the *Mineral and Energy Resources (Financial Provisioning) Regulation 2019*, the Office of Best Practice Regulation (OBPR) was consulted. OBPR advised that given the extensive consultation undertaken, further regulatory impact assessment was not required.