

Queensland



MINERAL RESOURCES AMENDMENT BILL 1999

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1999

A BILL

FOR

An Act to amend the Mineral Resources Act 1989

The Parliament of Queensland enacts—	1
Short title	2
1. This Act may be cited as the <i>Mineral Resources Amendment Act 1999</i> .	3
Commencement	4
2. This Act commences on the later of—	5
(a) the day fixed for the commencement of the <i>Native Title (Queensland) State Provisions Amendment Act (No. 2) 1998</i> , section 9; ¹ or	6 7 8
(b) the date of assent of this Act.	9
Act amended	10
3. This Act amends the <i>Mineral Resources Act 1989</i> .	11
Insertion of new pt 18A	12
4. After part 18—	13
insert—	14
‘PART 18A—FURTHER PROVISIONS FOR MINING TENEMENTS	15 16
‘Definition for pt 18A	17
‘722A. In this part—	18
“mining tenement” has the same meaning it has for the native title provisions.	19 20

¹ Section 9 (Insertion of new pts 12–18)

‘Purpose of pt 18A

‘722B. This purpose of this part is to state further provisions that apply to the grant of a mining tenement.

‘What is a “strong connection” with land for this part

‘772C.(1) For this part, an owner of land has a **“strong connection”** with the land if the owner lives and works on the land and has lived and worked on the land for a significant part of the owner’s lifetime.

‘(2) Also, an owner of land has a “strong connection” with the land if the person lives and works on the land and lived and worked on the land as part of the family of a former owner before becoming the owner of the land.

‘(3) In addition, an owner of land has a “strong connection” with the land if—

- (a) the owner is a corporation; and
- (b) a majority of the shareholders in the corporation live and work on the land.

‘Consultation and negotiation with owner

‘772D.(1) This section applies for ensuring fairness to owners of land in relation to the granting of a mining tenement.

‘(2) A person who is an owner of, and has a strong connection with, land to which an application for a mining tenement relates has the same right as—

- (a) a native title notification party has under part 13, 14, 15, 16 or 17 to be notified of the making of the application and to be consulted in relation to entry under the mining tenement when granted; and
- (b) a registered native title party has under part 14, 15, 16 or 17, in relation to the application, to be consulted, to ask for mediation and to be a party to negotiations.

‘(3) For—

- (a) subsection (2)(a)—parts 13 to 17 apply to the owner, with necessary changes; and

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(b) subsection (2)(b)—parts 14 to 17 apply to the owner, with necessary changes.

‘(4) This section applies only to the extent that the right to be notified or consulted or to ask for mediation or to take part in negotiations, does not already exist under this Act.’.

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