

George Buckley

23 March 2016

Committee Inquiry Mining Amendment Bill 2015
Parliament House
Perth WA 6000

Re- Standing Committee on Legislation Inquiry into Mining Amendment Bill 2015

Dear Chairperson and all members of the Committee

I am not a member of APLA and have been involved in the Mining industry for well over 40 years. I am not a member of APLA as I believe they essentially represent recreational fossickers in the industry and not professional small miners/leaseholders. I am not attacking APLA its just as the Minister for Mines put it(see below) there is a gap between prospectors and AMEC and the gap has existed unfortunately for a very long period of time.

I do not believe that I should have to join an organisation to get some form of consultation either on something which is so important in the Mining Industry. If we want to adopt that position its almost like saying you need a union ticket or ticket/membership from AMEC, APLA or CME to be consulted even though your working in the industry and to get started without being disadvantaged or aggrieved in the process.

Despite public statements by the Department of Mines and Petroleum I as a small miner was never consulted with this Mining Amendment Bill and I feel disgusted as to how this whole process concerning the Mining Amendment Bill has been adopted and conducted by the Department of Mines and Petroleum.

When the department wants to actively and proactively consult with you they actually write to every leaseholder, they also advertise workshops etc on the particular issue and I never received any notifications or indications that we were going to have a new Mining Amendment Bill and what its detail might include/exclude in that Bill so when I discovered it was supposedly formulated over the last 3 years, all I can say I was absolutely appalled and disgusted.

I first heard about this Mining Amendment Bill 2015 in the media and I discovered that was well after it was first introduced into what is apparently the Legislative Assembly.

After making inquiries with various other people I discovered the Minister for Mines Hon Bill Marmion MLA was attending Kalgoorlie on Sunday 21 June 2015 to meet with small miners and I decided to attend the meeting in Hay Street Kalgoorlie.

I took some quick notes from that public meeting in which over 20 people were in attendance

After hearing from various people who made presentations and gave files of information to the Minister in a structured manner the Minister stated basically:

(What has happened I can see is that there is a gap between AMEC and the prospectors.

The fossicking people have taken over APLA I get that and you have fallen through

What has happened a whole bunch of you guys have fallen through the gap and haven't been properly consulted in the whole process and the aim of the bill is to make sure that everybody who is affected is consulted.

To come up with a bill its frustrating that we have gone through 3 years of consultation and you guys haven't been involved.)

Whilst this is my rough notes from the Meeting on the 21 June 2015 I can assure you over 20 people heard this from the Minister for Mines Bill Marmion MLA.

To help the committee I would urge the committee request a copy of the files/presentations that were given to the Minister on the 21 June 2015 at the meeting in Hay Street Kalgoorlie and also ask the Minister for an explanation as to what he verbally told us all.

If the Minister indicates that he does not have copies of these files/presentations then the committee should request copies from people who actually made the presentations as I feel it will be most helpful for the Committee to get a good understanding of what has happened.

The statements from the Minister on the 21 June 2015 really tells you as the Committee conducting an inquiry that for this whole Mining Bill a whole bunch of people who are professional operators were never properly consulted with this Mining Amendment Bill before it was introduced. Importantly these are the Ministers own words in not being properly consulted. Never mind suggesting consultation after it was introduced, as it was too late.

Obviously as the Minister for Mines alerted to it takes 3 years to come up with a bill as extensive consultation must be undertaken with all of industry otherwise, it stands blatantly obvious that when the Bill is introduced to parliament it will be seriously defective affecting the rights, freedoms, obligations of a particular group which has never been consulted so no wonder people are upset and feel aggrieved in this whole process.

As far as I am concerned the bill and its policy formulation was not in accordance with natural justice and procedural fairness and should be rejected because to proceed now without proper extensive consultation which takes time to get constructive amendments or a new bill, the bill as it currently stands will essentially seriously impact, take away certain rights and affect my capacity and many others to function in the industry.

I ask the committee to recognise that to get amendments or suggestions to the bill it takes an enormous amount of time which is precisely why the Minister indicated it takes 3 years to get a bill up, so I simply express to you as the Committee you cannot just expect in 1 month or 2 months that people put forward amendments without having proper time to fully consider implications that affect people like myself and others.

In closing I would like my submission to be made public.

Yours sincerely

George Buckley