

Standing Committee on Legislation – inquiry into the Mining Legislation Amendment Bill 2015

Lack of Consultation with affected stakeholders as required under parliamentary procedures for the submission of a bill

**Submission by:
Mr. Peter Smith**

Peter Smith is a retired business manager and a disability pensioner who has been prospecting for over 20 years in Victoria and Western Australia. Member of APLA whom has recently returned to Western Australia to be able to continue in his chosen field of prospecting.

General background to this submission:

The purpose of this submission is to highlight the UN-parliamentary conduct in the lack of consultation by the present Minister for Mining (DMP) with all stakeholders that will be affected by this proposed amendment of Mining legislation.

The case supporting this submission:

All stakeholders affected by this amendment are required by law to be in possession of a Miners Right issued by the W.A. Government, as such a mail out from the department to all Miners Right holders would have been an appropriate method of consultation rather than the underhanded lack of consultation undertaken.

Supporting evidence:

No genuine consultation with the stakeholders has taken place, consultation was limited and restricted to selected stakeholders ignoring the general community involved.

The amendments will have a major impact not only on prospectors like myself but also to the broader community that benefits from this industry, this community was not given the opportunity to voice their concerns even though the Minister said that they were.

Brief Summary and Conclusion:

This amendment has failed in many aspects even the Parliament Procedures Guidelines were not met. Drafting a Bill section 1 states - Before these drafting instructions are finalised by an agency, consultations should be undertaken with individuals and bodies likely to be affected by the proposal.

This has not occurred and as such this Bill should be rejected out of hand.

Signed *Peter Smith*

Date 23/3/2016