

Mining Rehabilitation Fund Bill 2012

CONTENTS

Part 1 — Preliminary		
1.	Short title	2
2.	Commencement	2
3.	Terms used	2
4.	Mining authorisation	3
Part 2 — Mining Rehabilitation Fund		
5.	Establishment of Mining Rehabilitation Fund	5
6.	Purpose of Fund	5
7.	Payments to Fund	5
8.	Payments from Fund	5
Part 3 — Abandoned mine sites		
9.	Declaration of abandoned mine sites	7
10.	Power to enter abandoned mine sites and affected land for rehabilitation work	7
Part 4 — Mining rehabilitation levy		
Division 1 — Mining rehabilitation levy		
11.	Mining rehabilitation levy	9
12.	Liability for payment of levy	9
13.	Amount of levy	9
Division 2 — Assessment and reassessment of levy		
14.	Assessment of levy	9
15.	Authorisation holder required to provide assessment information	9
16.	How assessment is made	10
17.	Assessment notice	10

Contents

18.	Reassessment of levy	11
19.	Reassessment notice	11
	Division 3 — Objections	
20.	Objection	12
21.	Determination of objection	13
22.	Notice of adjusted levy following objection	13
23.	Notice of withdrawal of levy following objection	15
24.	Review of decision on objection	15
	Division 4 — Payment and recovery of levy	
25.	When levy amount due and payable	16
26.	Penalty for non-payment of levy	16
27.	Recovery of levy amount and penalty amount	16
28.	Liability to pay not affected by objection	16
	Division 5 — Other matters	
29.	CEO may require information and records	17
30.	Incriminating information	18
31.	False or misleading information	18
32.	Evidentiary value of levy notice	19
	Part 5 — Miscellaneous	
33.	Mining Rehabilitation Advisory Panel	20
34.	Delegation	20
35.	Confidentiality	21
36.	Protection from liability	21
37.	Regulations	22
	Part 6 — Consequential amendment	
38.	<i>Constitution Acts Amendment Act 1899</i> amended	23
	Defined Terms	

Western Australia

LEGISLATIVE ASSEMBLY

Mining Rehabilitation Fund Bill 2012

A Bill for

An Act to provide for —

- **the establishment of the Mining Rehabilitation Fund; and**
- **the declaration of abandoned mine sites; and**
- **a levy payable in respect of mining authorisations, and for related purposes.**

The Parliament of Western Australia enacts as follows:

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Part 1 — Preliminary

1. Short title

This is the *Mining Rehabilitation Fund Act 2012*.

2. Commencement

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.

3. Terms used

In this Act, unless the contrary intention appears —

abandoned mine site means land declared to be an abandoned mine site under section 9(1);

adjustment notice has the meaning given in section 22(2)(c);

affected land, in relation to an abandoned mine site, means land outside the site that has been affected by mining operations carried out in, on or under the site;

assessment means an assessment under section 14;

assessment notice has the meaning given in section 17(1);

CEO means the chief executive officer of the department;

department means the department of the Public Service principally assisting in the administration of this Act;

due date, in relation to a levy amount, means the day specified in a levy notice as the day on which the levy amount is payable;

Fund means the account called the Mining Rehabilitation Fund established under section 5(1);

investment income means money derived from the investment of money standing to the credit of the Fund;

land has the meaning given in the *Mining Act 1978* section 8(1);

- 1 **levy** means the mining rehabilitation levy referred to in
2 section 11(1);
- 3 **levy amount** means the amount of levy that is payable;
- 4 **levy notice** means —
- 5 (a) an assessment notice; or
- 6 (b) a reassessment notice; or
- 7 (c) an adjustment notice;
- 8 **mining authorisation** has the meaning given in section 4(2);
- 9 **mining operations** has the meaning given in the *Mining*
10 *Act 1978* section 8(1);
- 11 **objection** means an objection under section 20(1);
- 12 **original assessment** has the meaning given in section 18(1)(a);
- 13 **penalty amount** means an amount payable under section 26(1);
- 14 **prescribed** means prescribed by the regulations;
- 15 **reassessment** means a reassessment under section 18(1);
- 16 **reassessment notice** has the meaning given in section 19(1);
- 17 **record** means any document or record of information,
18 irrespective of how the information is recorded or stored or able
19 to be recovered and includes —
- 20 (a) any thing from which images, sounds or writings can be
21 reproduced, with or without the aid of anything else; and
- 22 (b) any thing on which information is recorded or stored,
23 whether electronically, magnetically, mechanically or by
24 some other means.

25 **4. Mining authorisation**

- 26 (1) In this section —
- 27 **Government agreement** has the meaning given in the
28 *Government Agreements Act 1979* section 2;
- 29 **mining tenement**, except in subsection (2)(d), has the meaning
30 given in the *Mining Act 1978* section 8(1).

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- 1 (2) For the purposes of this Act, each of these is a mining
2 authorisation —
- 3 (a) a mining tenement unless it is granted, or held, pursuant
4 to a Government agreement;
- 5 (b) a mining tenement granted, or held, pursuant to a
6 Government agreement, if the mining tenement is
7 prescribed or of a class prescribed;
- 8 (c) a mineral lease granted under a Government agreement,
9 if the mineral lease is prescribed or of a class prescribed;
- 10 (d) a mining tenement referred to in the *Mining Act 1978*
11 section 5(2)(a), if the mining tenement is prescribed or
12 of a class prescribed;
- 13 (e) a right of occupancy referred to in the *Mining Act 1978*
14 section 5(2)(b), if the right of occupancy is prescribed or
15 of a class prescribed.

1 **Part 2 — Mining Rehabilitation Fund**

2 **5. Establishment of Mining Rehabilitation Fund**

- 3 (1) An account called the Mining Rehabilitation Fund is established
4 for the department.
- 5 (2) The Fund is an agency special purpose account under the
6 *Financial Management Act 2006* section 16.

7 **6. Purpose of Fund**

- 8 (1) The main purpose of the Fund is to provide a source of funding
9 for the rehabilitation of abandoned mine sites and other land
10 affected by mining operations carried out in, on or under those
11 sites.
- 12 (2) Subsection (1) does not limit or otherwise affect the operation
13 of section 8.

14 **7. Payments to Fund**

- 15 There is to be credited to the Fund —
- 16 (a) any levy amount paid or recovered; and
17 (b) any penalty amount paid or recovered; and
18 (c) investment income.

19 **8. Payments from Fund**

- 20 (1) Money standing to the credit of the Fund (whether or not it
21 consists of or includes investment income) may be applied for
22 these purposes —
- 23 (a) to fund the rehabilitation of —
- 24 (i) abandoned mine sites that are, or have been, the
25 subject of mining authorisations in respect of
26 which the levy is, or has been, payable; and
27 (ii) any affected land relating to those sites;

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- 1 (b) in payment of the amount of any refund required under
2 Part 4.
- 3 (2) Money standing to the credit of the Fund that consists of
4 investment income may also be applied for these purposes —
- 5 (a) to fund the rehabilitation of —
- 6 (i) abandoned mine sites other than those described
7 in subsection (1)(a)(i); and
- 8 (ii) any affected land relating to those sites;
- 9 (b) to fund programmes, or the provision of information,
10 relating to the rehabilitation of abandoned mine sites,
11 affected land and other land affected by mining
12 operations;
- 13 (c) in payment of the costs of administering the Fund;
- 14 (d) in payment of the other costs of administering and
15 enforcing this Act.

Part 3 — Abandoned mine sites

9. Declaration of abandoned mine sites

- (1) The CEO may, by notice published in the *Gazette*, declare land to be an abandoned mine site for the purposes of this Act if the CEO is satisfied that —
- (a) mining operations have been carried out in, on or under the land; and
 - (b) those mining operations have ceased.
- (2) Under subsection (1) —
- (a) more than one area of land may be declared to be a single abandoned mine site; and
 - (b) more than one abandoned mine site may be declared in the same notice.
- (3) For the purposes of subsection (2)(a), the areas of land need not be contiguous.
- (4) The CEO may, by notice published in the *Gazette*, amend or revoke a notice under subsection (1).
- (5) A notice under this section comes into operation on the day on which it is published in the *Gazette* or on any later day specified in it.

10. Power to enter abandoned mine sites and affected land for rehabilitation work

- (1) In this section —
- rehabilitation work* means work to rehabilitate an abandoned mine site or affected land that is funded from money standing to the credit of the Fund.
- (2) A person authorised in writing by the CEO may enter an abandoned mine site or affected land for the purpose of carrying out rehabilitation work.

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- 1 (3) Entry under subsection (2) may be made with any assistants or
2 equipment that the person authorised considers necessary for the
3 purpose of carrying out rehabilitation work.
- 4 (4) A person must not exercise the power in subsection (2) —
- 5 (a) in respect of private land (as defined in the *Mining*
6 *Act 1978* section 8(1)) unless —
- 7 (i) the person has taken reasonable steps to give the
8 owner or occupier of the land notice of the
9 intended entry; or
- 10 (ii) the owner or occupier of the land consents to the
11 entry;
- 12 or
- 13 (b) in respect of land that is the subject of a pastoral lease
14 (as defined in the *Land Administration Act 1997*
15 section 3(1)) unless —
- 16 (i) the person has taken reasonable steps to give the
17 holder of the lease notice of the intended entry;
18 or
- 19 (ii) the holder of the lease consents to the entry.
- 20 (5) A notice under subsection (4) must specify the purpose for
21 which the entry is required and successive entries for that
22 purpose are to be regarded as entries to which the notice relates.

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Part 4 — Mining rehabilitation levy

Division 1 — Mining rehabilitation levy

11. Mining rehabilitation levy

- (1) A levy called the mining rehabilitation levy is payable in respect of each mining authorisation that is in force.
- (2) The levy is payable each year in accordance with the regulations.

12. Liability for payment of levy

The person liable to pay the levy in respect of a mining authorisation in a particular year is the holder of the mining authorisation on the day prescribed for the purposes of section 15(2) in that year.

13. Amount of levy

The amount of levy payable is the amount that is specified in, or worked out in accordance with, the regulations.

Division 2 — Assessment and reassessment of levy

14. Assessment of levy

The CEO must assess the levy amount for each person liable to pay the levy.

15. Authorisation holder required to provide assessment information

- (1) In this section —
assessment information means information of a prescribed kind required for the purposes of making an assessment.

Mining Rehabilitation Fund Bill 2012

Part 4 Mining rehabilitation levy

Division 2 Assessment and reassessment of levy

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- 1 (2) The holder of a mining authorisation must, on or before the
2 prescribed day each year, give to the CEO assessment
3 information in the form and manner approved by the CEO.
4 Penalty: a fine of \$20 000.

5 **16. How assessment is made**

- 6 (1) The CEO may make an assessment on the basis of assessment
7 information given to the CEO under section 15 or other
8 information obtained or provided under this Act or the *Mining*
9 *Act 1978*.
- 10 (2) If —
11 (a) assessment information has not been given to the CEO
12 under section 15; or
13 (b) the CEO is not satisfied with the adequacy or reliability
14 of information available to make an assessment,
15 the CEO may make an assessment on the basis of the CEO's
16 estimate of the levy amount.
- 17 (3) This section does not limit the matters to which the CEO may
18 have regard when making an assessment.

19 **17. Assessment notice**

- 20 (1) After making an assessment the CEO must give a notice (an
21 **assessment notice**) to the person liable to pay the levy.
- 22 (2) The assessment notice must specify these matters —
23 (a) the date of the notice;
24 (b) the levy amount;
25 (c) the day on which the levy amount is payable (being a
26 day not less than 30 days after the date of the notice);
27 (d) any other matter required by the regulations.

1 **18. Reassessment of levy**

- 2 (1) The CEO may reassess a levy amount if the CEO considers
3 that —
- 4 (a) there has been an error in the assessment of the levy
5 amount (the *original assessment*); or
- 6 (b) there has been an error in an earlier reassessment of the
7 levy amount; or
- 8 (c) it is otherwise appropriate to do so.
- 9 (2) A reassessment may increase or decrease the levy amount or
10 determine that the levy amount is to remain unchanged.
- 11 (3) A reassessment may be made whether or not the levy amount or
12 any part of it has been paid in relation to the original assessment
13 or any earlier reassessment.
- 14 (4) A reassessment cannot be made more than 2 years after the
15 original assessment was made.

16 **19. Reassessment notice**

- 17 (1) If, on a reassessment, the levy amount is increased or decreased
18 the CEO must give a notice (a *reassessment notice*) to the
19 person liable to pay the levy.
- 20 (2) The reassessment notice must specify these matters —
- 21 (a) the date of the notice;
- 22 (b) the levy amount as reassessed;
- 23 (c) if the levy amount is increased —
- 24 (i) any amount of levy payable under the original
25 assessment, or any earlier reassessment, that is
26 unpaid; and
- 27 (ii) any additional amount of levy payable as a
28 consequence of the reassessment and the day on
29 which that amount is payable (being a day not
30 less than 30 days after the date of the notice); and

Mining Rehabilitation Fund Bill 2012

Part 4 Mining rehabilitation levy

Division 3 Objections

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- 1 (iii) any penalty amount that is owing;
- 2 (d) if the levy amount is decreased —
- 3 (i) any amount of levy payable under the original
- 4 assessment, or any earlier reassessment, that is
- 5 unpaid (after taking into account the
- 6 reassessment); and
- 7 (ii) the amount of any refund; and
- 8 (iii) any penalty amount that is owing (after taking
- 9 into account the reassessment);
- 10 (e) any other matter required by the regulations.
- 11 (3) If an amount of levy in excess of the amount referred to in
- 12 subsection (2)(b) has been paid by the person liable to pay the
- 13 levy, the CEO must cause —
- 14 (a) the amount of the excess; and
- 15 (b) any penalty amount paid in relation to the amount of the
- 16 excess,
- 17 to be refunded to the person.

18 **Division 3 — Objections**

19 **20. Objection**

- 20 (1) A person may object to an assessment notice or a reassessment
- 21 notice given to the person —
- 22 (a) on the ground that the person is not liable to pay the levy
- 23 amount to which the notice relates; or
- 24 (b) on the ground that there is an error in the assessment or
- 25 reassessment of the levy amount; or
- 26 (c) on a prescribed ground (if any).
- 27 (2) An objection must be made to the CEO in writing within —
- 28 (a) 28 days after the date of the assessment notice or
- 29 reassessment notice; or

- 1 (b) if that period is extended under subsection (3) — the
2 extended period.
- 3 (3) The CEO may extend the period referred to in subsection (2)(a),
4 before or after it has expired, if the person making the objection
5 shows that there are reasonable grounds for doing so.
- 6 (4) An objection must —
- 7 (a) identify the person making it; and
- 8 (b) give details of the ground on which it is made; and
- 9 (c) have attached to it the assessment notice or reassessment
10 notice to which it relates; and
- 11 (d) comply with any other prescribed requirements.

12 **21. Determination of objection**

- 13 (1) The CEO must consider and determine an objection within
14 28 days after the day on which it is made.
- 15 (2) In determining an objection, the CEO may decide that —
- 16 (a) the levy amount is to be increased or decreased; or
- 17 (b) the levy amount is to remain unchanged; or
- 18 (c) the person to whom the assessment notice or
19 reassessment notice was given is not liable to pay the
20 levy to which the notice relates.
- 21 (3) After making a decision on an objection, the CEO must give to
22 the person who made the objection a notice setting out the
23 CEO's decision and the reasons for the decision.

24 **22. Notice of adjusted levy following objection**

- 25 (1) This section applies if the CEO's decision on an objection is
26 that the levy amount is to be increased or decreased.
- 27 (2) The CEO must —
- 28 (a) determine —
- 29 (i) the levy amount; and

Mining Rehabilitation Fund Bill 2012

Part 4 Mining rehabilitation levy

Division 3 Objections

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- 1 (ii) any penalty amount;
- 2 and
- 3 (b) determine the amount that is owing or is to be refunded
- 4 having regard to —
- 5 (i) any amount of levy already paid in relation to an
- 6 assessment or reassessment; and
- 7 (ii) any penalty amount already paid;
- 8 and
- 9 (c) give a notice (an *adjustment notice*) to the person liable
- 10 to pay the levy.
- 11 (3) The adjustment notice must specify these matters —
- 12 (a) the date of the notice;
- 13 (b) the levy amount;
- 14 (c) if the levy amount is increased —
- 15 (i) any amount of levy payable under an assessment
- 16 or reassessment that is unpaid; and
- 17 (ii) any additional amount of levy payable as a
- 18 consequence of the determination under
- 19 subsection (2)(b) (the *relevant determination*)
- 20 and the day on which that amount is payable
- 21 (being a day not less than 30 days after the date
- 22 of the notice); and
- 23 (iii) any penalty amount that is owing;
- 24 (d) if the levy amount is decreased —
- 25 (i) any amount of levy payable under an assessment
- 26 or reassessment that is unpaid (after taking into
- 27 account the relevant determination); and
- 28 (ii) the amount of any refund; and
- 29 (iii) any penalty amount that is owing (after taking
- 30 into account the relevant determination).

- 1 (4) If an amount of levy in excess of the levy amount specified
2 under subsection (3)(b) has been paid by a person, the CEO
3 must cause —
4 (a) the amount of the excess; and
5 (b) any penalty amount paid in relation to the amount of the
6 excess,
7 to be refunded to the person.

8 **23. Notice of withdrawal of levy following objection**

- 9 (1) This section applies if the CEO's decision on an objection is
10 that the person to whom the assessment notice or reassessment
11 notice was given is not liable to pay the levy to which the notice
12 relates.
13 (2) The CEO must —
14 (a) give to the person referred to in subsection (1) a notice
15 stating that the assessment notice or reassessment notice
16 is withdrawn; and
17 (b) cause to be refunded to the person —
18 (i) any amount of levy paid by the person in relation
19 to the assessment or reassessment; and
20 (ii) any penalty amount paid by the person in relation
21 to the assessment or reassessment.

22 **24. Review of decision on objection**

- 23 (1) A person who is dissatisfied with a decision of the CEO on an
24 objection may apply to the State Administrative Tribunal for a
25 review of the decision.
26 (2) An application under subsection (1) must be made within —
27 (a) 42 days after the day on which notice of the decision is
28 given under section 21(3); or
29 (b) if that period is extended under subsection (3) — the
30 extended period.

Mining Rehabilitation Fund Bill 2012

Part 4 Mining rehabilitation levy

Division 4 Payment and recovery of levy

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- 1 (3) The State Administrative Tribunal may extend the period
2 referred to in subsection (2)(a), before or after it has expired,
3 if the applicant shows that there are reasonable grounds for
4 doing so.

5 **Division 4 — Payment and recovery of levy**

6 **25. When levy amount due and payable**

7 A levy amount becomes due and payable on the due date.

8 **26. Penalty for non-payment of levy**

- 9 (1) If a levy amount remains unpaid after the due date, the person
10 liable to pay the levy is liable to pay, in addition to the levy
11 amount, an amount calculated at the prescribed rate on the levy
12 amount from time to time remaining unpaid.
- 13 (2) The CEO may waive, in whole or in part, a penalty amount if
14 the CEO considers that there are good reasons for doing so.

15 **27. Recovery of levy amount and penalty amount**

16 These amounts may be recovered by the CEO in a court of
17 competent jurisdiction as debts due to the State —

- 18 (a) a levy amount that remains unpaid after the due date;
19 (b) a penalty amount that remains unpaid.

20 **28. Liability to pay not affected by objection**

21 A person's liability to pay a levy amount or penalty amount is
22 not affected by the making of an objection.

Division 5 — Other matters

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29. CEO may require information and records

- (1) The CEO, for the purposes of the administration and enforcement of this Part, may do any of these things —
 - (a) direct a person —
 - (i) to give such information as the CEO requires; or
 - (ii) to answer a question put to the person;
 - (b) direct a person to produce a record in the person’s custody or under the person’s control;
 - (c) examine and make a copy of a record produced in response to a direction under paragraph (b).
- (2) A direction under subsection (1)(a) —
 - (a) may be given orally or in writing to the person required to give the information or answer; and
 - (b) must specify the time at or within which the information or answer is to be given; and
 - (c) may require that the information or answer —
 - (i) be given orally or in writing; or
 - (ii) be given at or delivered to a place specified in the direction; or
 - (iii) in the case of written information or a written answer, be delivered by means specified in the direction; or
 - (iv) be verified by statutory declaration.
- (3) A direction under subsection (1)(b) —
 - (a) must be given in writing to the person required to produce the record; and
 - (b) must specify the time at or within which the record is to be produced; and

- 1 (c) may require that the record be produced —
2 (i) at a place specified in the direction; and
3 (ii) by means specified in the direction.
- 4 (4) A person to whom a direction is given under subsection (1)
5 must not, without reasonable excuse, fail to comply with the
6 direction.

7 Penalty: a fine of \$20 000.

8 **30. Incriminating information**

9 (1) An individual is not excused from giving information,
10 answering a question or producing a record when directed to do
11 so under section 29(1) on the ground that the information,
12 answer to the question, or production of the record, might tend
13 to incriminate the individual or make the individual liable to a
14 penalty.

15 (2) However —

- 16 (a) the information or answer given or record produced; or
17 (b) giving the information, answering the question or
18 producing the record; or
19 (c) any information, document or thing obtained as a direct
20 or indirect consequence of giving the information,
21 answering the question or producing the record,

22 is not admissible in evidence against the individual —

- 23 (d) in any civil proceedings; or
24 (e) in any criminal proceedings other than proceedings for
25 perjury or an offence against section 31.

26 **31. False or misleading information**

27 (1) A person must not, in compliance or purported compliance with
28 section 15(2), a direction under section 29(1), or any other
29 requirement under this Act, do any of the things to which this
30 subsection applies.

31 Penalty: a fine of \$20 000.

- 1 (2) The things to which subsection (1) applies are —
- 2 (a) making a statement that the person knows is false or
- 3 misleading in a material particular; or
- 4 (b) making a statement that is false or misleading in a
- 5 material particular, with reckless disregard as to whether
- 6 or not the statement is false or misleading in a material
- 7 particular; or
- 8 (c) providing, or causing to be provided, information that
- 9 the person knows is false or misleading in a material
- 10 particular; or
- 11 (d) providing, or causing to be provided, information that is
- 12 false or misleading in a material particular, with reckless
- 13 disregard as to whether or not the information is false or
- 14 misleading in a material particular.

15 **32. Evidentiary value of levy notice**

16 A levy notice (or a copy of a levy notice) is admissible as

17 evidence in proceedings under this Act and, in the absence of

18 proof to the contrary, is proof of these matters —

- 19 (a) the making of the assessment, reassessment or decision
- 20 on an objection, as the case requires;
- 21 (b) the levy amount;
- 22 (c) the identity of the person liable to pay the levy;
- 23 (d) when the levy amount is due and payable;
- 24 (e) any other fact stated in the notice.

Part 5 — Miscellaneous

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33. Mining Rehabilitation Advisory Panel

- (1) A body called the Mining Rehabilitation Advisory Panel is established.
- (2) The members of the Panel are to be appointed by the CEO.
- (3) The function of the Panel is to provide advice to the CEO in relation to —
 - (a) any matter relating to the administration of this Act that is prescribed; and
 - (b) any other matter relating to the administration of this Act on which the CEO requests the Panel to provide advice.
- (4) Without limiting section 37(1), the regulations may make provision for and in relation to —
 - (a) the constitution and membership of the Panel; and
 - (b) the appointment, term of office, resignation and removal of members of the Panel; and
 - (c) the procedure of the Panel.

34. Delegation

- (1) The CEO may delegate to a public service officer in the department any power or duty of the CEO under another provision of this Act other than the powers conferred by section 9(1) and (4).
- (2) The delegation must be in writing signed by the CEO.
- (3) A person to whom a power or duty is delegated under this section cannot delegate that power or duty.
- (4) A person exercising or performing a power or duty that has been delegated to the person under this section is to be taken to do so

1 in accordance with the terms of the delegation unless the
2 contrary is shown.

3 (5) Nothing in this section limits the ability of the CEO to perform
4 a function through an officer or agent.

5 **35. Confidentiality**

6 A person who is or has been engaged in the performance of
7 functions under this Act must not, directly or indirectly, record,
8 disclose or make use of any information obtained in the
9 performance of those functions except —

- 10 (a) for the purpose of, or in connection with, the
11 administration of this Act or another written law; or
12 (b) as required or allowed by this Act or another written
13 law; or
14 (c) with the written consent of the Minister or the person to
15 whom the information relates; or
16 (d) for the purpose of any proceedings before a court or the
17 State Administrative Tribunal arising out of the
18 operation of this Act; or
19 (e) in prescribed circumstances.

20 Penalty: a fine of \$20 000.

21 **36. Protection from liability**

- 22 (1) An action in tort does not lie against a person for anything that
23 the person has done, in good faith, in the performance or
24 purported performance of a function under this Act.
25 (2) The protection given by subsection (1) applies even though the
26 thing done as described in that subsection may have been
27 capable of being done whether or not this Act had been enacted.
28 (3) Despite subsection (1), the State is not relieved of any liability
29 that it might have for another person having done anything as
30 described in that subsection.

s. 37

1 (4) In this section a reference to the doing of anything includes a
2 reference to the omission to do anything.

3 **37. Regulations**

4 (1) The Governor may make regulations prescribing all matters that
5 are —

- 6 (a) required or permitted to be prescribed by this Act; or
7 (b) necessary or convenient to be prescribed for giving
8 effect to this Act.

9 (2) Without limiting subsection (1), the regulations may —

- 10 (a) provide for levy amounts to be worked out on such
11 basis, and in accordance with such factors, as are
12 prescribed; and
13 (b) deal with matters relating to the assessment or
14 reassessment of levy amounts; and
15 (c) provide that contravention of a regulation is an offence
16 and, for an offence against the regulations, provide for a
17 penalty not exceeding a fine of \$10 000.

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Part 6 — Consequential amendment

38. *Constitution Acts Amendment Act 1899* amended

- (1) This section amends the *Constitution Acts Amendment Act 1899*.
- (2) In Schedule V Part 3 after the item relating to the Mining and Petroleum Advisory Committee insert:

The Mining Rehabilitation Advisory Panel established by
the *Mining Rehabilitation Fund Act 2012*.

Defined Terms

Defined Terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined Term	Provision(s)
abandoned mine site	3
adjustment notice	3, 22(2)
affected land	3
assessment	3
assessment information	15(1)
assessment notice	3, 17(1)
CEO	3
department	3
due date	3
Fund	3
Government agreement	4(1)
investment income	3
land	3
levy	3
levy amount	3
levy notice	3
mining authorisation	3
mining operations	3
mining tenement	4(1)
objection	3
original assessment	3, 18(1)
penalty amount	3
prescribed	3
reassessment	3
reassessment notice	3, 19(1)
record	3
rehabilitation work	10(1)
relevant determination	22(3)