#### Western Australia

# **Mining Rehabilitation Fund Bill 2012**

CONTENTS	

	Part 1 — Preliminary	
1.	Short title	2
2.	Commencement	
3.	Terms used	2 2 3
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
37A.	Review of Act	22
	Part 6 — Consequential amendment	
38.	Constitution Acts Amendment Act 1899 amended	23
	<b>Defined Terms</b>	

#### Western Australia

### LEGISLATIVE ASSEMBLY

(As amended in Committee)

## **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:

1		Part 1 — Preliminary
2	1.	Short title
3		This is the Mining Rehabilitation Fund Act 2012.
4	2.	Commencement
5		This Act comes into operation as follows —
6 7		(a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
8 9		(b) the rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.
10	3.	Terms used
11		In this Act, unless the contrary intention appears —
12 13		abandoned mine site means land declared to be an abandoned mine site under section 9(1);
14		adjustment notice has the meaning given in section 22(2)(c);
15 16 17		<i>affected land</i> , 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;
18		assessment means an assessment under section 14;
19		assessment notice has the meaning given in section 17(1);
20		CEO means the chief executive officer of the department;
21 22		<i>department</i> means the department of the Public Service principally assisting in the administration of this Act;
23 24		<i>due date</i> , in relation to a levy amount, means the day specified in a levy notice as the day on which the levy amount is payable;
25 26		<b>Fund</b> means the account called the Mining Rehabilitation Fund established under section 5(1);
27 28		<i>investment income</i> means money derived from the investment of money standing to the credit of the Fund;
29		<i>land</i> has the meaning given in the <i>Mining Act 1978</i> section 8(1);

1 2		<i>levy</i> means the mining rehabilitation levy referred to in 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 10		<i>mining operations</i> has the meaning given in the <i>Mining Act 1978</i> section 8(1);			
11		objection means an objection under section 20(1);			
12		<i>original assessment</i> has the meaning given in section 18(1)(a);			
13		<i>penalty amount</i> 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 18 19		<b>record</b> means any document or record of information, irrespective of how the information is recorded or stored or able to be recovered and includes —			
20 21		(a) any thing from which images, sounds or writings can be reproduced, with or without the aid of anything else; and			
22 23 24		(b) any thing on which information is recorded or stored, whether electronically, magnetically, mechanically or by some other means.			
25	4.	Mining authorisation			
26	(1)	In this section —			
27 28		Government agreement has the meaning given in the Government Agreements Act 1979 section 2;			
29 30		<i>mining tenement</i> , except in subsection (2)(d), has the meaning given in the <i>Mining Act 1978</i> section 8(1).			

1 2	(2)		e purposes of this Act, each of these is a mining isation —
3 4		(a)	a mining tenement unless it is granted, or held, pursuant to a Government agreement;
5 6 7		(b)	a mining tenement granted, or held, pursuant to a Government agreement, if the mining tenement is prescribed or of a class prescribed;
8 9		(c)	a mineral lease granted under a Government agreement, if the mineral lease is prescribed or of a class prescribed
0 1 2		(d)	a mining tenement referred to in the <i>Mining Act 1978</i> section 5(2)(a), if the mining tenement is prescribed or of a class prescribed;
3 4 5		(e)	a right of occupancy referred to in the <i>Mining Act 1978</i> section 5(2)(b), if the right of occupancy is prescribed or of a class prescribed.

1		Part 2 — Mining Kenadilitation Fund		
2	5.	Establishment of Mining Rehabilitation Fund		
3 4	(1)	An account called the Mining Rehabilitation Fund is established for the department.		
5 6	(2)	The Fund is an agency special purpose account under the <i>Financial Management Act 2006</i> section 16.		
7	6.	Purpose of Fund		
8 9 10 11	(1)	The main purpose of the Fund is to provide a source of funding for the rehabilitation of abandoned mine sites and other land affected by mining operations carried out in, on or under those sites.		
12 13	(2)	Subsection (1) does not limit or otherwise affect the operation 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		

any affected land relating to those sites;

(ii)

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1 2		(b)	in payment of the amount of any refund required under Part 4.
3	(2)	Money	y standing to the credit of the Fund that consists of
4	· · · · · ·	-	ment 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

2	9.	Declaration of abandoned mine sites		
3 4 5	(1)	The CEO may, by notice published in the <i>Gazette</i> , declare land to be an abandoned mine site for the purposes of this Act if the CEO is satisfied that —		
6 7		(a) mining operations have been carried out in, on or under the land; and		
8		(b) those mining operations have ceased.		
9	(2)	Under subsection (1) —		
10 11		(a) more than one area of land may be declared to be a single abandoned mine site; and		
12 13		(b) more than one abandoned mine site may be declared in the same notice.		
14 15	(3)	For the purposes of subsection (2)(a), the areas of land need not be contiguous.		
16 17	(4)	The CEO may, by notice published in the <i>Gazette</i> , amend or revoke a notice under subsection (1).		
18 19 20	(5)	A notice under this section comes into operation on the day on which it is published in the <i>Gazette</i> or on any later day specified in it.		
21 22	10.	Power to enter abandoned mine sites and affected land for rehabilitation work		
23	(1)	In this section —		
24 25 26		<i>rehabilitation work</i> means work to rehabilitate an abandoned mine site or affected land that is funded from money standing to the credit of the Fund.		
27 28 29	(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.		

1 2 3	(3)	equipme	nt tha	ubsection (2) may be made with any assistants or at the person authorised considers necessary for the crying out rehabilitation work.
4	(4)	A person	n mus	t not exercise the power in subsection (2) —
5 6		` /		pect of private land (as defined in the <i>Mining</i> 178 section 8(1)) unless —
7 8 9			(i)	the person has taken reasonable steps to give the owner or occupier of the land notice of the intended entry; or
10 11			(ii)	the owner or occupier of the land consents to the entry;
12		(	r	
13 14 15		(	as def	pect of land that is the subject of a pastoral lease fined in the <i>Land Administration Act 1997</i> in 3(1)) unless —
16 17 18			(i)	the person has taken reasonable steps to give the holder of the lease notice of the intended entry; or
19			(ii)	the holder of the lease consents to the entry.
20 21 22	(5)	which th	e entr	r subsection (4) must specify the purpose for ry is required and successive entries for that be regarded as entries to which the notice relates.
		purpose	are to	to regarded as entires to willon the notice relates.

1		Part 4 — Mining rehabilitation levy
2		Division 1 — Mining rehabilitation levy
3	11.	Mining rehabilitation levy
4 5	(1)	A levy called the mining rehabilitation levy is payable in respect of each mining authorisation that is in force.
6 7	(2)	The levy is payable each year in accordance with the regulations.
8	12.	Liability for payment of levy
9 0 1		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.
3	13.	Amount of levy
4		The amount of levy payable is the amount that is specified in, or worked out in accordance with, the regulations.
6		Division 2 — Assessment and reassessment of levy
7	14.	Assessment of levy
8		The CEO must assess the levy amount for each person liable to pay the levy.
20 21	15.	Authorisation holder required to provide assessment information
22	(1)	In this section —
23 24		<i>assessment information</i> means information of a prescribed kind required for the purposes of making an assessment.

Part 4 Mining rehabilitation levy

**Division 2** Assessment and reassessment of levy

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The holder of a mining authorisation must, on or before the (2) 1 prescribed day each year, give to the CEO assessment 2 information in the form and manner approved by the CEO. 3 Penalty: a fine of \$20 000. 4 16. How assessment is made 5 (1) The CEO may make an assessment on the basis of assessment 6 information given to the CEO under section 15 or other 7 information obtained or provided under this Act or the Mining 8 Act 1978. 9 If— (2) 10 assessment information has not been given to the CEO 11 (a) under section 15; or 12 the CEO is not satisfied with the adequacy or reliability (b) 13 of information available to make an assessment, 14 the CEO may make an assessment on the basis of the CEO's 15 estimate of the levy amount. 16 (3) This section does not limit the matters to which the CEO may 17 have regard when making an assessment. 18 **17**. **Assessment notice** 19 After making an assessment the CEO must give a notice (an (1) 20 assessment notice) to the person liable to pay the levy. 21 The assessment notice must specify these matters — (2) 22 the date of the notice; (a) 23 the levy amount; (b) 24 (c) the day on which the levy amount is payable (being a 25

day not less than 30 days after the date of the notice);

any other matter required by the regulations.

(d)

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1	18.	Reassessment of levy	
2	(1)	The CEO may reassess a levy amount if the CEO considers that —	
4 5		(a) there has been an error in the assessment of the levy amount (the <i>original assessment</i> ); or	
6 7		(b) there has been an error in an earlier reassessment of the levy amount; or	
8		(c) it is otherwise appropriate to do so.	
9 10	(2)	A reassessment may increase or decrease the levy amount or determine that the levy amount is to remain unchanged.	
11 12 13	(3)	A reassessment may be made whether or not the levy amount or any part of it has been paid in relation to the original assessment or any earlier reassessment.	
14 15	(4)	A reassessment cannot be made more than 2 years after the original assessment was made.	
16	19.	Reassessment notice	
17	(1)	If, on a reassessment, the levy amount is increased or decreased the CEO must give a notice (a <i>reassessment notice</i> ) to the person liable to pay the levy.	
18 19	(1)	the CEO must give a notice (a reassessment notice) to the	
	(2)	the CEO must give a notice (a reassessment notice) to the	
19		the CEO must give a notice (a <i>reassessment notice</i> ) to the person liable to pay the levy.	
19 20		the CEO must give a notice (a <i>reassessment notice</i> ) to the person liable to pay the levy.  The reassessment notice must specify these matters —	
19 20 21		the CEO must give a notice (a <i>reassessment notice</i> ) to the person liable to pay the levy.  The reassessment notice must specify these matters —  (a) the date of the notice;	
19 20 21 22		the CEO must give a notice (a <i>reassessment notice</i> ) to the person liable to pay the levy.  The reassessment notice must specify these matters—  (a) the date of the notice;  (b) the levy amount as reassessed;	

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1		(iii) any penalty amount that is owing;
2		(d) if the levy amount is decreased —
3 4 5 6		(i) any amount of levy payable under the original assessment, or any earlier reassessment, that is unpaid (after taking into account the reassessment); and
7		(ii) the amount of any refund; and
8		(iii) any penalty amount that is owing (after taking into account the reassessment);
10		(e) any other matter required by the regulations.
11 12 13	(3)	If an amount of levy in excess of the amount referred to in subsection (2)(b) has been paid by the person liable to pay the levy, the CEO must cause —
14		(a) the amount of the excess; and
15 16		(b) any penalty amount paid in relation to the amount of the excess,
17		to be refunded to the person.
18		Division 3 — Objections
19	20.	Objection
20 21	(1)	A person may object to an assessment notice or a reassessment notice given to the person —
22 23		(a) on the ground that the person is not liable to pay the levy amount to which the notice relates; or
24 25		(b) on the ground that there is an error in the assessment or 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 29		(a) 28 days after the date of the assessment notice or reassessment notice; or

Part 4	lining rehabilitation levy
Division 3	Objections
s. 21	

1		(b) if that period is extended under subsection (3) — the extended period.			
3 4 5	(3)	The CEO may extend the period referred to in subsection (2)(a), before or after it has expired, if the person making the objection 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 10		(c) have attached to it the assessment notice or reassessment notice to which it relates; and			
11		(d) comply with any other prescribed requirements.			
12	21.	Determination of objection			
13 14	(1)	The CEO must consider and determine an objection within 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 19 20		(c) the person to whom the assessment notice or reassessment notice was given is not liable to pay the levy to which the notice relates.			
21 22 23	(3)	After making a decision on an objection, the CEO must give to the person who made the objection a notice setting out the CEO's decision and the reasons for the decision.			
24	22.	Notice of adjusted levy following objection			
25 26	(1)	This section applies if the CEO's decision on an objection is that the levy amount is to be increased or decreased.			
27	(2)	The CEO must —			
28		(a) determine —			
29		(i) the levy amount; and			

Part 4 Mining rehabilitation levy
Division 3 Objections
s. 22

1			(ii)	any penalty amount;
2			and	
3 4		(b)		nine the amount that is owing or is to be refunded g regard to —
5 6			(i)	any amount of levy already paid in relation to an assessment or reassessment; and
7			(ii)	any penalty amount already paid;
8			and	
9 10		(c)	_	notice (an <i>adjustment notice</i> ) to the person liable the levy.
11	(3)	The ac	ljustme	nt notice must specify these matters —
12		(a)	the da	te of the notice;
13		(b)	the lev	vy amount;
14		(c)	if the	levy amount is increased —
15 16			(i)	any amount of levy payable under an assessment 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 <i>relevant determination</i> )
20				and the day on which that amount is payable
21 22				(being a day not less than 30 days after the date of the notice); and
23			(iii)	any penalty amount that is owing;
24		(d)	` /	levy amount is decreased —
25		()	(i)	any amount of levy payable under an assessment
26			(1)	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).

Part 4

1 2 3	(4)	If an amount of levy in excess of the levy amount specified under subsection (3)(b) has been paid by a person, the CEO must cause —		
4		(a) the amount of the excess; and		
5 6		(b) any penalty amount paid in relation to the amount of the excess,		
7		to be refunded to the person.		
8	23.	Notice of withdrawal of levy following objection		
9 10 11 12	(1)	This section applies if the CEO's decision on an objection is that the person to whom the assessment notice or reassessment notice was given is not liable to pay the levy to which the notice relates.		
13	(2)	The CEO must —		
14 15 16		(a) give to the person referred to in subsection (1) a notice stating that the assessment notice or reassessment notice is withdrawn; and		
17		(b) cause to be refunded to the person —		
18 19		(i) any amount of levy paid by the person in relation to the assessment or reassessment; and		
20 21		(ii) any penalty amount paid by the person in relation to the assessment or reassessment.		
22	24.	Review of decision on objection		
23 24 25	(1)	A person who is dissatisfied with a decision of the CEO on an objection may apply to the State Administrative Tribunal for a review of the decision.		
26	(2)	An application under subsection (1) must be made within —		
27 28		(a) 42 days after the day on which notice of the decision is given under section 21(3); or		
29 30		(b) if that period is extended under subsection (3) — the extended period.		

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.

#### Division 4 — Payment and recovery of levy

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

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 the CEO considers that there are good reasons for doing so.

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

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

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

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

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

### **Division 5** — Other matters

2	29.	CEO	may re	quire information and records
3	(1)			the purposes of the administration and of this Part, may do any of these things —
5		(a)	direct	a person —
6			(i)	to give such information as the CEO requires; or
7			(ii)	to answer a question put to the person;
8		(b)		a person to produce a record in the person's ly or under the person's control;
10 11		(c)		ne and make a copy of a record produced in use to a direction under paragraph (b).
12	(2)	A dire	ction ur	nder subsection (1)(a) —
13 14		(a)	-	e given orally or in writing to the person required the information or answer; and
15 16		(b)		specify the time at or within which the information wer is to be given; and
17		(c)	may re	equire that the information or answer —
18			(i)	be given orally or in writing; or
19 20			(ii)	be given at or delivered to a place specified in the direction; or
21			(iii)	in the case of written information or a written
22				answer, be delivered by means specified in the
23			(iv)	direction; or
24			(iv)	be verified by statutory declaration.
25	(3)	A dire	ction ur	nder subsection (1)(b) —
26 27		(a)		be given in writing to the person required to ce the record; and
28 29		(b)		specify the time at or within which the record is to duced; and

Other matters

Mining rehabilitation levy

Part 4

**Division 5** 

s. 30 may require that the record be produced — 1 at a place specified in the direction; and 2 (ii) by means specified in the direction. 3 A person to whom a direction is given under subsection (1) **(4)** 4 must not, without reasonable excuse, fail to comply with the 5 direction. 6 Penalty: a fine of \$20 000. 7 **30. Incriminating information** 8 (1) An individual is not excused from giving information, 9 answering a question or producing a record when directed to do 10 so under section 29(1) on the ground that the information, 11 answer to the question, or production of the record, might tend 12 to incriminate the individual or make the individual liable to a 13 penalty. 14 (2) However — 15 (a) the information or answer given or record produced; or 16 (b) giving the information, answering the question or 17 producing the record; or 18 any information, document or thing obtained as a direct (c) 19 or indirect consequence of giving the information, 20 answering the question or producing the record, 21 is not admissible in evidence against the individual — 22 in any civil proceedings; or (d) 23 (e) in any criminal proceedings other than proceedings for 24 perjury or an offence against section 31. 25

#### 31. False or misleading information

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

Penalty: a fine of \$20 000.

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1	(2)	The th	ings 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.	Evide	ntiary 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

1		Part 5 — Miscellaneous
2	33.	Mining Rehabilitation Advisory Panel
3 4	(1)	A body called the Mining Rehabilitation Advisory Panel is established.
5	(2)	The members of the Panel are to be appointed by the CEO.
6 7	(3)	The function of the Panel is to provide advice to the CEO in relation to —
8 9		(a) any matter relating to the administration of this Act that is prescribed; and
10 11 12		(b) any other matter relating to the administration of this Act on which the CEO requests the Panel to provide advice.
13 14	(4)	Without limiting section 37(1), the regulations may make provision for and in relation to —
15		(a) the constitution and membership of the Panel; and
16 17		(b) the appointment, term of office, resignation and removal of members of the Panel; and
18		(c) the procedure of the Panel.
19	34.	Delegation
20 21 22 23	(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).
24	(2)	The delegation must be in writing signed by the CEO.
25 26	(3)	A person to whom a power or duty is delegated under this section cannot delegate that power or duty.
27 28	(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 2		in accordance with the terms of the delegation unless the contrary is shown.
3	(5)	Nothing in this section limits the ability of the CEO to perform a function through an officer or agent.
5	35.	Confidentiality
6 7 8 9		A person who is or has been engaged in the performance of functions under this Act must not, directly or indirectly, record, disclose or make use of any information obtained in the performance of those functions except —
10 11		(a) for the purpose of, or in connection with, the administration of this Act or another written law; or
12 13		(b) as required or allowed by this Act or another written law; or
14 15		(c) with the written consent of the Minister or the person to whom the information relates; or
16 17 18		(d) for the purpose of any proceedings before a court or the State Administrative Tribunal arising out of the operation of this Act; or
19		(e) in prescribed circumstances.
20		Penalty: a fine of \$20 000.
21	36.	Protection from liability
22 23 24	(1)	An action in tort does not lie against a person for anything that the person has done, in good faith, in the performance or purported performance of a function under this Act.
25 26 27	(2)	The protection given by subsection (1) applies even though the thing done as described in that subsection may have been capable of being done whether or not this Act had been enacted
28 29 30	(3)	Despite subsection (1), the State is not relieved of any liability that it might have for another person having done anything as described in that subsection.

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

#### 37. Regulations

- 4 (1) The Governor may make regulations prescribing all matters that are
  - (a) required or permitted to be prescribed by this Act; or
  - (b) necessary or convenient to be prescribed for giving effect to this Act.
  - (2) Without limiting subsection (1), the regulations may
    - (a) provide for levy amounts to be worked out on such basis, and in accordance with such factors, as are prescribed; and
      - (b) deal with matters relating to the assessment or reassessment of levy amounts; and
      - (c) provide that contravention of a regulation is an offence and, for an offence against the regulations, provide for a penalty not exceeding a fine of \$10 000.

#### 18 37A. Review of Act

- (1) The Minister must carry out a review of the operation and effectiveness of this Act as soon as is practicable after the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent.
- The Minister must prepare a report based on the review and must cause the report to be laid before each House of Parliament as soon as is practicable after it is prepared and, in any event, not later than 18 months after the end of the period referred to in subsection (1).

### Part 6 — Consequential amendment

I		rare 0 — Consequenciai amenument
2	38.	Constitution Acts Amendment Act 1899 amended
3	(1)	This section amends the Constitution Acts Amendment Act 1899
4 5 6	(2)	In Schedule V Part 3 after the item relating to the Mining and Petroleum Advisory Committee insert:
7 8 9		The Mining Rehabilitation Advisory Panel established by the <i>Mining Rehabilitation Fund Act 2012</i> .

## **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	
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)