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**COAL MINES LEGISLATION AMENDMENT
AND REVIVAL BILL 1998**

COMMITTEE

CLAUSE BY CLAUSE NOTES

**Coal Mines Legislation Amendment and
Revival Bill 1998**

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COAL MINES LEGISLATION AMENDMENT AND REVIVAL BILL 1998

CLAUSE BY CLAUSE NOTES

Part 1 – Preliminary

Clause 1 Short Title

The short title for the amending legislation is the Coal Mines Legislation Amendment and Revival Bill 1998.

Clause 2 Commencement

This clause provides that the Amendment and Revival Act comes into force on the day it receives the Royal Assent.

Part 2 – The *Coal Miners' Welfare Act 1947* Amended

Clause 3 The Act amended

The Act to be amended is the Coal Miners' Welfare Act 1947.

Clause 4 Section 1 amended

This section is amended to delete reference to the Coal Mines Regulation Act 1946 which was repealed on 9 December 1995 and substitute the "Mines Safety Inspection Act 1994".

Clause 5 Section 6 amended

This section is amended to provide for the owners of every coal mine to pay to the Coal Miners' Welfare Fund, a levy equivalent to 0.4101c per tonne on the output of all coal sold.

The sums to be paid under this section are to be credited to a separate account forming part of the Coal Miners' Welfare Fund.

Clause 6 Section 16 amended

This section is amended by deleting reference to the repealed Coal Mines Regulation Act 1946.

It also requires the Board to consult with owners of coal mines before applying money standing to the credit of the separate account.

Part 3 – Revival, Validation and Transitional Provisions

Clause 7 Interpretation

This clause provides the interpretation for the meaning of the terms used in the Act.

Clause 8 Revival

This clause revives the sections and regulations of the repealed Coal Mines Regulation Act 1946 and Regulations to enable the Trust to carry out its operations from the date the Coal Mines Regulation Act 1946 was repealed until the Trust is wound up.

Clause 9 Validation

To remove any doubt this clause ensures that any actions taken by the Trust are valid and effective as though the Coal Mines Regulation Act 1946 and Regulations had not been repealed.

Clause 10 Application of Relief Fund moneys

This clause provides for the

- application of monies standing to the credit of the Fund to be paid to relatives by way of a lump sum when the fund is wound up,
- the payment of expenses and costs incurred by the Fund, and
- for the balance of the monies standing to the credit of the Fund to be paid to the separate account under the Coal Miners' Welfare Act 1947.

Clause 11 Reporting

This clause provides for appropriate reporting to comply with the provisions of the Financial Administration and Audit Act of 1985.

Clause 12 Expiry of revived provisions

This clause provides for the Minister, once satisfied that there are no monies left in the Relief Fund and no monies to be received into the Relief Fund, to make an order to that effect and the publication of that order in the Gazette effectively winds up the Trust.