

LEGISLATIVE COUNCIL

Mining and Petroleum Legislation Amendment (Harmonisation) Bill 2015

First print

Proposed amendments

No. 1 **Ban on prospecting or mining**

Page 2, clause 2, lines 5 and 6. Omit all words on those lines. Insert instead:

2 Commencement

- (1) Except as provided by subsection (2), this Act commences on a day or days to be appointed by proclamation.
- (2) Schedules 1 [1] and 2 [5] commence on the date of assent.

No. 2 **Ban on prospecting or mining**

Page 3, Schedule 1. Insert after line 1:

[1] Section 4C

Insert after section 4B:

4C Prohibition on granting of authorisations to prospect or mine for coal

- (1) A decision-maker is not to grant an application or tender for an authorisation to prospect or mine for coal, or for any minerals that include coal.
- (2) Compensation is not payable by or on behalf of the State:
 - (a) because of the enactment or operation of this section, or
 - (b) because of any direct or indirect consequence of any such enactment or operation (including any conduct under the authority of any such enactment), or
 - (c) because of any conduct relating to any such enactment or operation.
- (3) This section extends to require the refusal of an application for an authorisation made but not decided before the commencement of this section.

No. 3 **Ban on prospecting or mining**

Page 39, Schedule 2 [4], line 16. Omit "grant,".

No. 4 **Ban on prospecting or mining**

Page 39, Schedule 2 [5]–[11], line 22 on page 39 to line 25 on page 40. Omit all words on those lines. Insert instead:

[5] Section 8

Omit sections 8–18. Insert instead:

8 Prohibition on granting of petroleum titles

- (1) The Minister is not to grant an application for a petroleum title.
- (2) Compensation is not payable by or on behalf of the State:
 - (a) because of the enactment or operation of this section, or
 - (b) because of any direct or indirect consequence of any such enactment or operation (including any conduct under the authority of any such enactment), or
 - (c) because of any conduct relating to any such enactment or operation.
- (3) This section extends to require the refusal of an application for a petroleum title made but not decided before the commencement of this section.

No. 5 **Ban on prospecting or mining**

Page 92, Schedule 2 [50], line 9. Omit “grant,”.