



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

#### Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2013

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Mineral Resources (Sustainable Development) (Mineral Industries) Development Regulations 2013 (the proposed Regulations).

The purpose of the proposed Regulations is to replace the existing Mineral Resources Development Regulations 2002 (the Mineral Regulations), which sunset on 21 October 2013. The proposed Regulations will be made pursuant to the **Mineral Resources (Sustainable Development) Act 1990** (the Act).

The proposed Regulations will give operational effect to key aspects of the Act relating to mining, exploration, retention and prospecting licences issued under the Act. In particular, the objectives of the proposed Regulations are to prescribe:

- matters relating to royalties and fees;
- various procedures, details, forms and information required in documents (including in relation to licence applications, work plans, reportable events and annual reporting);
- survey and marking out licence areas;
- certain offences as infringement offences;
- requirements relating to declared mines; and
- disclosure of interest requirements.

The proposed Regulations will largely re-enact the current non-fee aspects of the Mineral Regulations, with minor amendments to matters including public advertising of licence applications, reporting for mining and prospecting licences, matters relating to coal royalties and certain infringement offences and penalties.

The proposed Regulations will also alter the fee structure and fees to align the cost recovery regime with the costs of administering the Act and the proposed Regulations, in accordance with the Victorian Department of Treasury and Finance Cost Recovery Guidelines.

The new fee structure will take effect from 1 January 2015. From that date, new fees will be phased in over a two year period, with a graduated increase from the current level of cost recovery to full recovery of costs by 1 January 2017. These transitional measures are to allow industry sufficient time to prepare for the fee changes and to reduce the initial impost of certain fee increases.

The RIS assesses the costs and benefits of the proposed Regulations, as well as assessing both regulatory and non-regulatory alternatives. The RIS concludes that the benefits of the proposed Regulations outweigh their costs, and that the alternatives would not provide a more efficient or effective means of achieving objectives.

Copies of the RIS and the proposed Regulations may be obtained from the Department of State Development, Business and Innovation by contacting Earth Resources Legislation and Reform on 9027 4454, via email on [minerals.ris@dsvbi.vic.gov.au](mailto:minerals.ris@dsvbi.vic.gov.au) or via the internet at [www.dpi.vic.gov.au/earth-resources](http://www.dpi.vic.gov.au/earth-resources)

**SPECIAL**

Public comments are invited on the RIS and the accompanying Regulations. All comments must be in writing and can be emailed to [minerals.ris@dssdbi.vic.gov.au](mailto:minerals.ris@dssdbi.vic.gov.au) or should be sent to:

Legislation and Reform  
Earth Resources Development  
Department of State Development, Business and Innovation  
GPO Box 4509  
Melbourne, Victoria 3001

by no later than 5 pm on 17 September 2013.

All comments and submissions will be treated as public documents.

Dated 20 August 2013

THE HONOURABLE NICHOLAS KOTSIRAS, MP  
Minister for Energy and Resources

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