Changes to the mineral industries regulations

INFRINGEMENTS

From 1 July 2019, changes to the mining infringements regime apply. These changes are aimed at furthering public confidence and supporting operators who do the right thing.

What are the changes?

New infringement offences under the Act and under the regulations have been prescribed under the Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019.

As a result, compliance officers are now able to issue infringement notices for some offences which previously required full criminal prosecutions.

The new infringement offences are outlined in the tables below.

New infringement offence	Section of the Act
Disposing of tailings without consent (mining licence)	14(2A)
Disposing of tailings without consent (prospecting licence)	14BA
Failure to show authority when entering land	26AT
Failure to comply with lawful requirement of an inspector	95R(2)(a)
Non-compliance with a s110 notice	110(3)
Failure to comply with notice issued under s113A(2)	113A(3)
Failure to supply prescribed information relating to work done under a licence	116(1)

New infringement offence	Section of the Regulations
Failure to comply with requirements in the regulations for reporting reportable events	51(3)
Failure to comply with request of the Chief Inspector relating to reportable events	51(4)

Who do the changes impact?

The changes provide compliance officers with a new range of enforcement options. The changes will impact licensees who fail to comply with the *Mineral Resources (Sustainable Development) Act 1990* or the Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019.

When do the changes take place?

The changes came into effect on 1 July 2019.

For further information

earthresources.vic.gov.au/mineralregs

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