

## SOUTH AUSTRALIA

### ***OPAL MINING ACT 1995\****

South Australian opal mining production is estimated in the order of \$40m on an annual basis on recently published figures by the Mines & Energy Department in South Australia.

Historically in South Australia, opal mining has been the province of the small prospector and significant opal mining fields have been developed at Coober Pedy, Andamooka and Mintabie.

In order to encourage development of new opal mining fields in South Australia and further investment and exploration, the South Australian Government introduced the *Opal Mining Act* in 1995 ("the Act").

### **Changes**

The Act made a number of significant changes to the legislative scheme for the mining of opal and other precious stones. The Act:

- repeals Part 7 of the South Australian *Mining Act 1971* ("the *Mining Act*") which deals with prospecting and mining for precious stones.
- establishes its own legislative regime for the mining of opal and other precious stones.
- allows corporations to apply for precious stones prospecting permits and tenements - under the *Mining Act* a corporation is unable to hold a precious stones prospecting permit.
- allows the holder of a precious stone prospecting permit to apply for a precious stones tenement.
- introduces a new type of precious stones prospecting tenement viz. an "opal development lease" of short term duration (3 months) to a maximum permissible area of 40,000 sqm;
- preserves within the Coober Pedy precious stones field a "major working area" within which corporations may not peg a precious stones tenement.
- strengthens land rehabilitation requirements by the holders of precious stones tenements outside established precious stones fields.
- by amendment to the *Mining Act* enables exploration licences to be granted for opal and other precious stones in the same way as for other minerals under the *Mining Act*.

The legislation will allow the Minister for Mines and Energy to grant large scale exploration licences for precious stones. This will enable companies to carry out opal mining with the application of modern exploration techniques that may well lead to the discovery of new opal fields in South Australia away from existing established fields.

### **In Effect**

The legislation and regulations came into operation on 21 April 1997.

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\* Egils Olekalns, McDonald & Co, Adelaide.