

LAND COURT OF QUEENSLAND

PRACTICE DIRECTION 4 of 2011

Mining Registrar referral forms - *Mineral Resources Act 1989*

This practice direction explains the Land Court forms used by mining registrars to refer matters to the Court under the *Mineral Resources Act 1989*.

1. Referral

Form 5

- a) Form 5 is used by mining registrars to refer matters to the Court.
- b) Mining registrars should check that any documents requested on form 5 are attached to the form before faxing or posting the referral to the Land Court.
- c) Practice Direction 1 of 2011 applies for compensation referrals.

2. Mining Registrar's Report

Form 4

- a) Form 4 is used by mining registrars to provide material to the Court with respect to tenure applications subject to objections.
- b) Mining registrars provide the Court with form 4 and any relevant attachments listed on that form.

3. Additional Applicant Information and Statutory Declaration for the Land Court (AISD) in relation to: Mining Claims, Mining Leases or Additional Surface Areas of Land for Mining Leases

Form 3

- a) In matters where objections are lodged, the applicant for a mining claim, mining lease or additional surface area of land for a mining lease will provide form 3 (AISD) to mining registrars within 5 business days of the last day for the receipt of objections to the application (see Practice Direction 3 of 2011).
- b) Mining registrars forward form 3 and any objections to the Court attached to form 4.

4. Objector's Participation

Form 7

- a) Objectors will complete form 7 and return it to mining registrars or the Land Court.
- b) If objectors provide this form to mining registrars, the mining registrars forward the form to the Land Court.

5. Additional Documents

Form 6

- a) If further documents are provided to the Court by mining registrars, they are required to attach them to a form 6.
- b) Form 6 is to be completed by mining registrars to provide details of the attachments to the Court.

Note- Where parties bring matters directly to the Land Court, they use Land Court form 1 (originating application), for example, s.363 or application to remove/ extend caveats.

**Carmel MacDonald
President
23 June 2011**