

LAND COURT OF QUEENSLAND

PRACTICE DIRECTION No. 10 of 2009

Application to remove caveat – Procedure

1. Pursuant to the *Mineral Resources Act 1989* (ss.101, 156, 203 and 305), an application may be made to the Court by a person with a relevant right or interest to issue a summons to the caveator of a mining tenement or an application for a mining lease to attend the Court to show cause why the caveat should not be removed. This Practice Direction outlines the procedure to be adopted for such applications.
2. The application must be made using the Court's Form 1, supported by an affidavit by the applicant establishing the applicant's right or interest in the mining tenement or the application for a mining lease.
3. The Judicial Registrar may constitute the Court for the purpose of considering the application and is authorised to issue the summons.
4. If the Court issues the summons, the applicant must serve the application and affidavit, as well as the summons, upon the caveator.
5. The matter will be listed by the Deputy Registrar for hearing by the Court.

Carmel MacDonald
President
4th September 2009