

37. Marking out and application

- (1) A miscellaneous licence, other than a miscellaneous licence described in subregulation (1a), shall be marked out by erecting posts projecting not less than 1 metre above the ground at each extremity of the land in respect of which the licence is sought; and by affixing a notice in the form No. 20 in the First Schedule and a map as referred to in section 93(2) to one of such posts to be known as the datum post.
- (1a) A miscellaneous licence for the purpose mentioned in regulation 42B(ia) shall be marked out —
 - (a) by erecting a post (the “**datum post**”) projecting not less than 1 metre above the ground at a corner or angle of the land in respect of which the licence is sought; and
 - (b) by affixing to the datum post a notice in the form No. 20 in the First Schedule and a map as referred to in section 93(2).
- (2) The applicant for a miscellaneous licence shall comply with the regulations in Part V relating to applications and in addition to giving notice of the application as required under the Act and these regulations, shall also cause copies to be given to each applicant for or holder of any mining tenement comprising any portion of the land the subject of the application.
- (3) Within 35 days of the date of application for a miscellaneous licence the applicant shall lodge at the office of the mining registrar written details of —
 - (a) any works to be constructed in connection with the licence;
 - (b) the proposed manner of construction of such works; and
 - (c) any operations to be carried out on the land the subject of the application.

[Regulation 37 amended in Gazette 16 Nov 1990 p. 5728; 13 Oct 1995 p. 4816; 17 Jan 2003 p. 112.]