

Queensland



Subordinate Legislation 1992 No. 454

Mount Isa Mines Limited Agreement Act 1985

**MOUNT ISA MINES LIMITED AGREEMENT
VARIATION ORDER 1992**

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AGREEMENT

Short title

1. This order in council may be cited as the *Mount Isa Mines Limited Agreement Variation Order 1992*.

Variation approved

2. The variation of the formal agreement provided for in the agreement set out in the Schedule is approved.

SCHEDULE**AGREEMENT**

section 2

THIS AGREEMENT is made the fourth day of December 1992.

BETWEEN

THE STATE OF QUEENSLAND (hereinafter called “the State”) of the First Part.

AND

MOUNT ISA MINES LIMITED a company incorporated in Queensland and whose registered office is at 410 Ann Street, Brisbane, in the said State (hereinafter with its successors and permitted assigns called “the Company”) of the Second Part.

WHEREAS the State and the Company are parties to an agreement made on the Fourteenth day of February 1985 which was approved and ratified and given the force of law by the *Mount Isa Mines Limited Agreement Act 1985* and is referred to therein as the formal agreement;

AND WHEREAS pursuant to subclause (2) of clause 11 of Part II of the Schedule to the formal agreement it is provided that the State shall not issue a Deed of Grant in fee simple in respect of any lot or parcel of land within the boundaries of Mining Lease No. 8058, Mount Isa other than where a right to a grant in fee simple has accrued or was accruing at the date of the agreement;

AND WHEREAS pursuant to subclause (3) of clause 11 of Part II of the Schedule to the formal agreement and notwithstanding the provisions of subclause (2) of the said clause 11 it is provided that the State shall not grant—

- (a) a Deed of Grant in fee simple; or
- (b) a lease;

SCHEDULE (continued)

pursuant to the provisions of the *Mining Titles Freeholding Act 1980* in respect of any lot or parcel of land within the boundaries of Mining Lease No. 8058, Mount Isa;

AND WHEREAS subsequent to the execution of the formal agreement the State now desires to vary the provisions of the said Clause 11 of Part II of the formal agreement and—

- (a) grant Deeds of Grant in fee simple in respect of any lot or parcel of land within the shaded areas shown in Schedule B Inset to the formal agreement notwithstanding that a right to a grant in fee simple had not accrued or was not accruing at the date of the formal agreement;
- (b) grant Deeds of Grant in fee simple or leases pursuant to the provisions of the *Mining Titles Freeholding Act 1980* in respect of any lot or parcel of land within the boundaries of Mining Lease No. 8058, Mount Isa;

AND WHEREAS it has been agreed between the State and the Company that the said clause 11 of Part II of the Schedule to the formal agreement be amended;

NOW THEREFORE IN PURSUANCE OF THE PREMISES THE PARTIES HEREBY AGREE that the formal agreement be and is hereby varied by—

Omitting subclause 3 of clause 11 of Part II of the Schedule to the formal agreement and substituting the following subclause—

‘(3) Notwithstanding the provisions of subclause (2) of this clause the State may grant—

- (a) a Deed of Grant in fee simple in respect of any lot or parcel of land within the shaded areas shown in Schedule B Inset to this agreement; and
- (b) a Deed of Grant in fee simple or a lease pursuant to the provisions of the *Mining Titles Freeholding Act 1980* in respect of any lot or parcel of land within the boundaries of the Mining Lease.’.

IN WITNESS WHEREOF the parties have executed this agreement the day and year hereinbefore written.

SCHEDULE (continued)

SIGNED by Anthony McGrady the
Minister for Minerals and Energy of
the State of Queensland for and on
behalf of the State of Queensland in
the presence of

Tony McGrady

A Justice of the Peace

K. D. Ewald J. P.

SIGNED for and on behalf of Mount
Isa Mines Limited by Barry James
Kevin Sullivan under authority of a
Resolution of the Board of Directors
in the presence of Kenneth Douglas
Ewald

B. J. Sullivan

A Justice of the Peace

K. D. Ewald J. P.

ENDNOTES

1. Made by the Governor in Council on 17 December 1992.
2. Notified in the Gazette on 18 December 1992.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Minerals and Energy.