



## **Land and Resources Tribunal**

### **PRACTICE DIRECTION No 16 of 2000**

#### ***Mineral Resources Act 1989* – Application to remove caveat – Procedure**

1. Pursuant to the *Mineral Resources Act 1989* (sections 101, 156, 203 and 305), an application may be made to the Tribunal 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 Tribunal 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 Tribunal's form 2 (Application to Start Proceedings), supported by an affidavit by the applicant establishing their right or interest in the mining tenement (or the application for a mining lease) and the manner or respects in which it is affected by the caveat.
3. Pursuant to rule 452(2) of the *Uniform Civil Procedure Rules 1999*, the Registrar will constitute the Tribunal for the purpose of considering the application and is authorised to issue the summons.
4. If the Registrar 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 Registrar for hearing by the Tribunal (as constituted under the direction of the President).

**Gregory J. Koppenol**  
**President**  
**17 November 2000**