1 March 2023

Application for approval of full or partial transfer of an
exploration licence or assessment lease

# *Form AD2, Mining Act 1992*

**Access the** [**Titles Management System (TMS) Portal**](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/titles-management-system) **to lodge this application electronically.**

**Any required fee payments and attachments can be submitted through the portal.**

## **When to use this form**

**Complete this form if you hold an exploration licence, assessment lease, exploration (mineral owner) licence or assessment (mineral owner) lease in New South Wales and are requesting approval to transfer the authority.**

Use one form if you want to transfer in full multiple exploration licences or assessment leases, however all authorities must be held in the same name/s.

Use a separate form for each partial transfer application or if multiple exploration licences or assessment leases for transfer are held in different name/s.

Do **not** use this form if you are transferring a mining lease (use form AD3 for mining lease transfers).

This form is an approved form under s 382 of the Mining Act for the purposes of s 120 (Application for approval of transfer) of the [*Mining Act 1992*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029) and cl 33 of the[*Mining Regulation 2016*](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498). Any reference to the ‘**Department**’ in this form, refers to the Department of Regional NSW.

## **How to lodge**

You can lodge your application (this form and any attachments) in the following ways:

* **By email:** titles@regional.nsw.gov.au
* **By mail:** Mining, Exploration and Geoscience, Assessments and Systems, PO Box 344, Hunter Region Mail Centre NSW 2310
* **In person:** in person at the Department’s office, 516 High Street, Maitland, New South Wales business days, between the hours of 9.30am and 4.30pm.
* **Facsimile:** +61 2 4063 6973

Lodgement of your application in any of the above ways is taken to be lodgement with the Secretary under the Mining Act.

For help with lodging this application, or for more information about authorisations under the Mining Act in New South Wales contact:

Mining, Exploration and Geoscience - Assessments and Systems

**Phone:** +61 2 4063 6600 (8.30am – 4.30pm)

 **Email:** titles@regional.nsw.gov.au

## **Important notes**

Accompanying documentation

All information specified in this form, and all required documents, things or information required to be lodged with your application, should be provided at lodgement.

A decision-maker may reject the application if the applicant does not supply the statement of corporate compliance, environmental performance history and financial capability required under cl 33(1)(d) of the Regulation, particulars of the proposed work program (in the case of the proposed transfer of an exploration licence or an assessment lease) required by cl 33(1)(g) of the Regulation, and a description of the land (in the case of the proposed partial transfer of an authority) prepared in accordance with cl 33(1)(j) and cl 33(2) of the Regulation within 10 business days of making the application.[[1]](#footnote-2)

Until it is amended by proclamation, Sch 1B cl 6 also provides separate grounds for the decision-maker to refuse an application on the basis that the applicant has failed to lodge any information required to accompany the application within 10 business days after the application is lodged.

All parties registered as holding an interest in the exploration licence or assessment lease must be notified **before** you lodge this application.

The transferor (the existing holder/s of the exploration licence or assessment lease) remains liable for any rent and levy liability up until the transfer is registered. We will advise you in writing if any fees are overdue.

If the authority/s to be transferred is a mineral owner authority/s, evidence that the transferee/s is the owner of the mineral/s must be provided to the Department. If evidence is not provided with the application then, under s 121(3) of the Mining Act*,* any approval of the transfer will be conditional upon evidence being provided to the satisfaction of the decision-maker prior to registration.

Only the **transferor** may complete this form (it **cannot** be submitted by the transferee). This form must be accompanied by the prescribed application fee and the written consent of the transferee.[[2]](#footnote-3) For a partial transfer, it must also be accompanied by a plan identifying the area over which the new authority will apply.

If there is insufficient room in any of the fields in this form, please provide the information as an attachment submitted with this form, marking clearly the field or other requirement to which the additional information relates.

A decision-maker may require you to furnish further information in connection with your application and may refuse the application if you do not furnish that information within the specified period.[[3]](#footnote-4)

Minimum standards

In determining an application for transfer, the decision-maker may take into account whether the transferee meets the publicised ‘minimum standards’.[[4]](#footnote-5)

The [*Minimum standards for work programs* and *technical and financial capability*](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf)(**minimum standards**) are available on the Department’s website.

Failure to meet the applicable minimum standards is a ground of refusal.[[5]](#footnote-6) The [minimum Standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) apply to a transferee’s proposed work program,[[6]](#footnote-7) and their technical and financial capability to carry out the proposed work program.[[7]](#footnote-8)

Agents

If this application is lodged by an agent on behalf of the applicant/s, the agent will need to complete the declaration at the end of this form and supply evidence of their appointment, if not already supplied to the Department.[[8]](#footnote-9)

Determination of your application

Once your complete application has been received, it will be determined by way of approving or refusing the transfer in accordance with the Mining Act and Regulation.

If the transfer of an authority is approved, it may be registered **within 3 months** of notification of the approval (refer to form [AD4 Application to register the transfer or part transfer of an authority).](https://www.regional.nsw.gov.au/meg/exploring-and-mining/application-forms-and-fees/mining-act-1992-forms)[[9]](#footnote-10) The transfer will take effect upon registration. Either the transferor or the transferee may apply for registration.

**© State of New South Wales through Regional NSW** **2023** The information contained in this publication is based on knowledge and understanding at the time of writing March 2023. However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Regional NSW or the user’s independent adviser.

**Privacy statement**

This information is collected by the Department for the purposes of assessing an application for an authorisation or an application associated with an authority as required by the *Mining Act* *1992* or Mining Regulation 2016.

This information may also be used by the Department to comply with its public register and record-keeping requirements under the *Mining Act* *1992* and Mining Regulation 2016, to confirm applicant details in the event that subsequent applications are made and to establish and maintain databases to assist the Department with its work generally.

Except for purposes required by law, your personal information will not be disclosed to third parties unless the disclosure is directly related to the purpose for which the information was collected, and the Department has no reason to believe you would object to the disclosure, or you are reasonably likely to have been aware, or have been made aware, that information of that kind is usually disclosed to that other person or body, or the Department believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.

You may apply to the Department to access and correct any personal information the Department holds about you if that information is inaccurate, incomplete, not relevant or out of date.

1. Type of transfer

Indicate if you are requesting a full or partial transfer.

|  |
| --- |
| Full transfer |
| [ ]  | Multiple exploration licences or assessment leases may be nominated if you wish to transfer **in full**. List the authorities below: |
| **Type – exploration licence (EL) or assessment lease (AL)** | **Number** | **Act** |
|       |       |       |
|       |       |       |
|       |       |       |
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|  |
| --- |
| Partial transfer |
| [ ]  | List the authority below (you can only nominate **one** authority for a partial transfer per application). |
| **Type – exploration licence (EL) or assessment lease (AL)** | **Number** | **Act** |
|       |       |       |

1. Authority holder/s details (transferor)

Provide the full name of the authority holder/s and if applicable, the ACN or ARBN (for foreign companies).

|  |
| --- |
| Full name of the authority holder/s |
| Name |       |
| ACN / ARBN |       |
|  |
| Name |       |
| ACN / ARBN |       |
|  |
| Name |       |
| ACN / ARBN |       |
|  |
| Name |       |
| ACN / ARBN |       |
|  |
| Name |       |
| ACN / ARBN |       |

* 1. Additional authority holders

Provide the full name and ACN or ARBN (for foreign companies), of additional authority holders.

|  |
| --- |
| Additional details |
|       |

1. Transferee/s details

Provide the full name of transferee/s and ACN/s or ARBN/s (for foreign companies). To be eligible to hold an authority, you must be a person 18 years of age or older, or a company eligible to undertake business in New South Wales.

If the transferee/s is a foreign entity, provide proof that the applicant/s is authorised to operate and carry out business in New South Wales.

The transferee for an exploration (mineral owner) licence or assessment (mineral owner) lease must be the owner/s of the mineral. If there is more than one owner, the application must be made by all the owners.

|  |
| --- |
| 1st Transferee details |
| Name |       |
| [ ]  This is an individual and is at least 18 years old. |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

|  |
| --- |
| 2nd Transferee details |
| Name |       |
| [ ]  This is an individual and is at least 18 years old. |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

|  |
| --- |
| 3rd Transferee details |
| Name |       |
| [ ]  This is an individual and is at least 18 years old. |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

Additional transferees

Provide the full name, phone number, email address, ACN or ARBN (for foreign companies), street address (individuals), registered street address (company) and postal address details of additional transferees. For individuals you must provide a statement that the person is at least 18 years old.

|  |
| --- |
| Additional details |
|       |

1. Contact for this application and service
	1. Holder (transferor) contact details

Any correspondence in relation to this application will be sent to this person, including documents that the Department is required to serve.

|  |
| --- |
| Details |
| Contact name |       |
| Position held |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email (required) |       |
| Email for service of documents (required) |       |

The Department will contact you and **serve** documents related to this application **via the email address specified above**.

* 1. Holder (transferor) preferred contact method

If you would **also** like a copy of documents to be sent to you by mail to the postal address indicated above, please check the box below.

[ ]  I request that copies of documents and communications are also sent to me by mail.

* 1. Transferee contact details

Any correspondence in relation to this application will be sent to this person, including documents that the Department is required to serve.

|  |
| --- |
| Contact details |
| Contact name |       |
| Position held |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email (required) |       |
| Email for service of documents (required) |       |

The Department will contact you and **serve** documents related to this application **via the email address specified above**.

* 1. Transferee preferred contact method

If you would **also** like a copy of documents to be sent to you by mail to the postal address indicated above, please check the box below.

[ ]  I request that copies of documents and communications are also sent to me by mail.

1. Mineral owner authority/s

Is the authority to be transferred a mineral owner authority?

[ ]  No – **continue to Part 6**

[ ]  Yes – **go to Part 5.1**

* 1. Evidence of ownership of minerals

For the purposes of s121(3) of the Mining Act, the proposed transferee must be the owner of the minerals, or the decision-maker must be satisfied that the proposed transferee has become the owner prior to the transfer being registered. Evidence of ownership can be provided with this application or when applying to register a transfer.

Attach the evidence that the transferee/s is the owner of the mineral/s to which the authority/s to be transferred relate. For the purposes of confirming a transferee’s ownership of any mineral, the Secretary may require the applicant to provide further information, which may include written advice from an Australian legal practitioner certifying that the relevant evidence establishes that the transferee owns the mineral.

[ ]  I have attached evidence of mineral ownership

[ ]  I have **NOT** attached evidence of mineral ownership

1. Consent of the proposed transferee/s

Attach a letter/s of consent from the proposed transferee/s, on company letterhead where applicable, consenting to the transfer.

[ ]  I have attached a letter/s of consent from the proposed transferees

1. Technical capability
	1. Technical capability

Applications for approval of a transfer of an authority must demonstrate that each transferee has the technical capability to carry out the proposed work program.[[10]](#footnote-11) In accordance with the [Minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf), a key requirement for demonstrating technical capability is appointing an appropriate technical manager who will be responsible for guiding work programs, supervising prospecting operations, and for geoscientific reporting.

The transfer approval application must:

* be accompanied by particulars of technical advice available to each proposed transferee;[[11]](#footnote-12)
* meet the [Minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) with respect to the technical capability to carry out the proposed work program.[[12]](#footnote-13)
	1. Technical manager

You can attach information about each transferee’s Technical Manager by using the form [Template for Technical managers](https://www.regional.nsw.gov.au/meg/exploring-and-mining/application-forms-and-fees/mining-act-1992-forms) or enter the information below. Please indicate which option you have selected:

[ ]  I have attached the form Template for Technical managers 🞂 **go to Section 8**

**OR**

[ ]  Information about the Technical Manager satisfying the requirements of the Minimum Standards, their details and their acceptance is provided below, in sections 7.2.1 to 7.2.4 below

* 1. Technical manager professional membership/qualifications

The technical manager must have either ‘A’ or ‘B’ below (tick as appropriate):

A. [ ]  Membership with a recognised relevant professional organisation at the minimum level of *Member*, with the required degree qualification related to the geosciences:

|  |
| --- |
| Provide the name and member number of any relevant professional association(s) to which the technical manager belongs:  |
| [ ]  AusIMM [ ]  AIG membership number:        [ ]  Other - please specify (including membership number):      Provide details of the degree qualification related to the geosciences (e.g. B. Science (Geology)):         |

**OR**

B. [ ]  Five years or more experience working in the deposit setting that is proposed in the work program (in this case you must attach the technical manager’s curriculum vitae to evidence this if not already supplied to the Department).

* 1. Technical manager conduct

The Technical Manager must also meet certain conduct requirements.

Has the Technical Manager:

- at any time had their membership refused, revoked or suspended by any relevant professional organisation(s) for conduct-related reasons?

 [ ]  Yes [ ]  No

- in the past 10 years, been convicted of an offence under the Mining Act, the *Protection of the Environment Operations Act 1997* or other relevant legislation (as defined in the [Minimum standards](https://www.regional.nsw.gov.au/meg/exploring-and-mining/compliance-and-reporting/mineral-prospecting-minimum-standards))?

 [ ]  Yes [ ]  No

|  |
| --- |
| If you ticked yes to either or both above, please provide details:  |
|       |

* 1. Technical Manager contact details

|  |
| --- |
| Technical manager contact details |
| Name |       |
| Position |       |
| Company |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email |       |

* 1. Technical manager acceptance

**Signature of the nominated technical manager**

In signing below, I hereby:

* confirm my acceptance of the role; and
* certify that the information provided in response to Section 7.2.1 to 7.2.3 is true and correct to the best of my knowledge and belief.
* confirm that I understand that under the *Crimes Act 1900* NSW Part 5A, knowingly or recklessly giving false or misleading information is a serious offence, and that under the Mining Act section 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.



Date:

1. Financial capability and resources
	1. Minimum standards

Applications for approval of transfer of an authority must demonstrate that the transferee/s has the financial capability to carry out the proposed work program.[[13]](#footnote-14)

The application for approval of transfer must meet:

* + Meet the [minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) relating to financial capability;
	+ be accompanied by particulars of financial resources available to the applicant.[[14]](#footnote-15)

Answers to the questions relating to financial capability in Sections 8.1.1 and 8.1.2 below should be given having regard to:

* + the work program and proposed operations
	+ obligations under the authority
	+ current assets and liabilities.
	1. Financial status

Is any applicant bankrupt or a body corporate that is subject to a scheme of arrangement, receivership, winding up or other external administration?

[ ] Yes [ ]  No

**Note:** this includes each applicant where there is more than one applicant.

* 1. Access to capital and financial resources

You must be able to answer yes to **at least one** of the following three questions.

**A.** Does at least one applicant have sufficient capital available over the term to meet the forecast expenditure and committed objectives of the entire proposed work program?

[ ]  Yes [ ]  No

**B.** Is at least one applicant subject to an agreement with a third party for the provision of finance to meet the forecast expenditure and committed objectives of the entire proposed work program (e.g. a deed)?

[ ]  Yes [ ]  No

**C.** Has at least one applicant’s board members or corporate officers successfully raised capital in the past for similar exploration programs in NSW or other jurisdictions?

[ ]  Yes [ ]  No

You may provide any further information on access to capital in the following box. Note, further information is not compulsory:

|  |
| --- |
| Access to capital, further information:  |
|       |

1. Statement of corporate compliance, environmental performance history and financial capability

Applications for renewal of exploration licences must be accompanied by a statement of the corporate compliance, environmental performance history and financial capability of the applicant, made in the approved form.[[15]](#footnote-16) The approved form is the Statements of corporate compliance, environmental performance history and financial capability form (**SOCH**) available through the [Resources Regulator portal](https://nswresourcesregulator.service-now.com/regulator) on the Department’s [website](https://www.resourcesregulator.nsw.gov.au/rehabilitation/resources/rehabilitation-forms).

[ ]  I have submitted a new SOCH online the reference number is

1. Proposed work program

Applications for approval of transfer of an authorisation must be accompanied by particulars of the proposed work program.[[16]](#footnote-17) The proposed work program must:

* be prepared using the [*Prospecting authority work program form*](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/applying-to-explore-and-mine-nsw/mining-act-1992-forms) in accordance with the *Work programs for prospecting titles Guideline*;
* meet the [Minimum standards](https://www.resourcesregulator.nsw.gov.au/sites/default/files/2022-11/mineral-prospecting-minimum-standards.pdf) for work programs.[[17]](#footnote-18)

Tick the relevant box below to indicate that you have attached a proposed work program to this application.

[ ]  I have attached a proposed work program as set out above.

1. Security deposit – for full transfer only
	1. Is the current security held in cash?

[ ]  Yes – **continue to Section 11.1**

[ ]  No – **go to Section 12**

* 1. Will the cash security deposit remain with the exploration licence or assessment lease?

[ ]  Yes – it will remain with the authority

[ ]  No – the transferee must provide a replacement security when registration of transfer is lodged

1. Completion of rehabilitation
	1. Has rehabilitation been completed and/or deemed satisfactory?

Rehabilitation is deemed ‘satisfactory’ when:

* a [Form ESF2 – Rehabilitation completion and/or Review of rehabilitation cost estimate](https://www.resourcesregulator.nsw.gov.au/rehabilitation/mine-rehabilitation/rehabilitation-completion) is submitted to the Department by the authority holder, and
* the Department has formally notified the authority holder that the rehabilitation is satisfactory

[ ]  Has rehabilitation (including any progressive/partial rehabilitation) already been completed and deemed satisfactory by the Department

|  |
| --- |
| Provide details of correspondence including Department references below |
|        |

[ ]  Has rehabilitation (including any progressive/partial rehabilitation) been completed and you would like to seek formal confirmation from the Department that rehabilitation is satisfactory, **without seeking a reduction in the security deposit?**

If **yes,** ensure you have completed and attached [Form ESF2 – Rehabilitation completion and/or Review of rehabilitation cost estimate](https://www.resourcesregulator.nsw.gov.au/rehabilitation/mine-rehabilitation/rehabilitation-completion) to this application.

[ ]  Has rehabilitation (including any progressive/partial rehabilitation) been completed and you would like to seek formal confirmation from the Department that rehabilitation is satisfactory, **and you are seeking a reduction in the security deposit?**

If **yes,** ensure you have completed and [Form ESF2 – Rehabilitation completion and/or Review of rehabilitation cost estimate](https://www.resourcesregulator.nsw.gov.au/rehabilitation/mine-rehabilitation/rehabilitation-completion) to this application.

[ ]  Rehabilitation has **not** been completed

|  |
| --- |
| Proposed exploration licence or assessment lease area for partial transfers  |
| This help text relates to **Questions 13, 14 and 15**. You will need to identify the land in the proposed transfer area in an approved manner.[[18]](#footnote-19) The approved manner is described below: |
| **For an exploration licence for Group 1 – 6, 8, 10-12 minerals**: provide the area, block and unit references identifying the land, as determined in accordance with [sch4](http://www.legislation.nsw.gov.au/#/view/regulation/2016/498/sch4) of the Regulation. You do not need to provide a map. 🞂 **Go to Question 13** |
| **For an exploration licence for Group 9 or Group 9A minerals**: provide a standard map, as described in [cl9](http://www.legislation.nsw.gov.au/#/view/regulation/2016/498/part1/sec9) of the Regulation, showing the alignment of the proposed licence/lease boundaries relative to the Map Grid of Australia; showing coordinates of all the points where there is a change in direction of the boundaries of the land. 🞂 **Go to Question 14** |
| **For an assessment lease:** provide **either** a standard map showing the boundaries of the land as described in [cl 9](http://www.legislation.nsw.gov.au/#/view/regulation/2016/498/part1/sec9) of the Regulation **or** the area, block and unit references identifying the land as determined in accordance with Schedule 4 🞂 **Go to Question 13 OR Question 14** |
| **For exploration (mineral owner) licences or assessment (mineral owner) leases**: provide the lot and deposited plan numbers of the land **or** a standard map, as described in [cl9](http://www.legislation.nsw.gov.au/#/view/regulation/2016/498/part1/sec9) of the Regulation, showing the alignment of the proposed licence/lease boundaries relative to the Map Grid of Australia; showing coordinates of all the points where there is a change in direction of the boundaries of the land. 🞂 **Go to Question 15** |
| If you consider these requirements to be unduly onerous you may request a variation or exemption from the requirements in accordance with [cl34](http://www.legislation.nsw.gov.au/#/view/regulation/2016/498/part3/div5/sec34) of the Regulation. Any request must include a justification for the request. |

1. Proposed area for the partial transfer of an exploration licence or assessment lease described in graticular references (blocks and units)
	1. Proposed area for partial transfer

Complete this question if you are applying for the transfer of **part** of the exploration licence or assessment lease using blocks and units. You **do not** need to provide a standard map.

Note: Go to Question 15 if you are applying for the transfer of part of the exploration licence area for Group 9 and Group 9A minerals.

Identify the name of the 1:1,000,000 map sheet (e.g. Sydney), the block number and unit references as described in sch 4 of the Regulation.

Use **Option A** (the free text field) or **Option B (**the table) below to identify the proposed area for transfer.

|  |
| --- |
| Proposed exploration area for mineral options |
| [ ]  | **Option A:** Identify the map sheet, block number, unit and total number of units being transferred: |
| eg Sydney, 2222, abcdxyz total units=7 |
| [ ]  | **Option B:** Enter your data in the table, as shown in the example below: |



| Name of map sheet | Block number | Unit letter/s applied for (list from a to z except ‘i') | Total units per block |
| --- | --- | --- | --- |
|       |       |       |       |
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| **Total number of units applied for** |  |

* 1. Depth of surface exception in metres

For the proposed transfer area, indicate the area of surface and soil below the surface not applied for:

|  |
| --- |
| Depth of surface exception in metres |
| [ ]  | Part (indicate which part is subject to the surface exception and attach to this application) |
| [ ]  | Various parts (indicate which parts are subject to the surface exception and attach to this application) |
| [ ]  | Nil |

* 1. Depth restriction sought in metres

For the proposed transfer area, indicate the depth to which you require the licence to extend:

|  |
| --- |
| Depth restriction sought |
| [ ]  | Part (indicate which part is subject to the depth restriction and attach to this application) |
| [ ]  | Various parts (indicate which parts are subject to the depth restriction and attach to this application) |
| [ ]  | Nil |

1. Proposed area for the partial transfer of an exploration licence or assessment lease described in non-graticular references (standard map and coordinates)

Complete this question if you are applying for the transfer of **part** of the exploration licence or assessment lease area using a standard map and coordinates.

Complete this question if you are applying for the transfer of part of the exploration licence area for Group 9 and Group 9A minerals.

* 1. Standard map

Provide a standard map, as described in cl9 of the Regulation, which shows the alignment of the proposed licence/lease boundaries relative to the Map Grid of Australia, showing coordinates of all the points where there is a change in direction of the boundaries of the land.

If such a map is not available, you must provide either a cadastral map or, if that is not available, an aerial photograph.

Indicate whether you have inserted your map in the field below or attached it separately.

[ ]  I have attached a standard map

[ ]  I have inserted my standard map below:



* 1. Coordinates of the proposed exploration area compliant with Map Grid of Australia (MGA94)

Attach the MGA94 coordinates as a separate electronic file in a CSV format of the area being transferred.

[ ]  I have attached the MGA94 coordinates to this application

|  |
| --- |
| MGA94 coordinates to this application |
| Total area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |
| Surface area |       | [ ]  m2 | [ ]  ha | [ ]  km2 |

* 1. Depth of surface exception in metres

For the proposed transfer area, indicate the area of surface and soil below the surface not applied for:

|  |
| --- |
| Depth of surface exception in metres |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |
| [ ]  | Nil |

* 1. Depth restriction sought in metres

Indicate the depth to which you require the licence/lease to extend:

|  |
| --- |
| Depth restriction sought |
| [ ]  | Part (must be shown on the map) |
| [ ]  | Various parts (must be shown on the map) |
| [ ]  | Nil |

* 1. Strata sought

For example, the strata between the base of the black seam to the top of the white seam.

Insert/paste your map in the field below and enter any notes here:



1. Proposed area for the partial transfer of an exploration (mineral owner) licence or assessment (mineral owner) lease

Complete this question if you are applying for the transfer of **part** of the exploration (mineral owner) licence or assessment (mineral owner) lease area.

Use **Option A** (lot and deposited plan) or **Option B** (standard map) below to identify the proposed area for transfer.

|  |
| --- |
| Option A: |
| [ ]  | Provide all the lots and associated deposited plans |
|  | Lot number |       |
| Deposited plan |       |
|  |
| Lot number |       |
| Deposited plan |       |
|  |
| Lot number |       |
| Deposited plan |       |
| **Other land**If there is inadequate space above, provide lot and deposited plan of any other land in the part of the exploration (mineral owner) licence or assessment (mineral owner) lease proposed to be transferred. |
|       |

|  |
| --- |
| Option B: |
| [ ]  | Provide a standard map, as described in cl9 of the Regulation, which shows the alignment of the proposed licence/lease boundaries relative to the Map Grid of Australia, showing coordinates of all the points where there is a change in direction of the boundaries of the land.If such a map is not available, you must provide either a cadastral map or, if that is not available, an aerial photograph.Indicate whether you have inserted your map in the field below or attached it separately. |

[ ]  I have attached a standard map

[ ]  I have inserted my standard map below:



1. Notification of all parties

Have you notified all parties who have a legal or equitable interest registered against the exploration licence or assessment lease?

|  |
| --- |
| Notified of all parties |
| [ ]  | **Yes** – if yes, please confirm how you notified the relevant parties of the application for transfer approval and attach a copy of the notifications to this application. |
| [ ]  By email | [ ]  By post | [ ]  Served in person |
| [ ]  | **No** – you cannot lodge this application. |
| [ ]  | **Not applicable as no interests registered** |

1. Fee payment

Payment, proof of payment or details that allow the payment to be made must accompany this application form.

* 1. Fees

The application fee amount is:

* full transfer is $1,000 per authority
* partial transfer is $1,650 per authority
	1. Select your payment method

|  |  |
| --- | --- |
| Select | Payment Method |
| [ ]  | **Direct deposit**Account name: Department of Regional NSW BSB: 032 001Account number: 183837Reference: TRF [authority type and number] (e.g. TRF EL1234)If you are paying by direct deposit, attach a copy of the receipt issued by your banking authority as evidence that you have paid. |
| [ ]  | **Credit card\***  |
| To pay by credit card, please tick the credit card box and contact (02) 4063 6600 to speak to a customer service representative. To comply with PCI-DSS your Credit Card information is never stored on file.You may also submit the application on TMS. |
| \*Credit card merchant fees are applicable to all credit card payments and will be added to the payment amount at the following rates: Visa & Mastercard: 0.4% Amex: 1.4% Diners: 2.4% |

1. Checklist of items to be included with this application

|  |  |  |
| --- | --- | --- |
| Item |  | Reference |
| For foreign entities, proof that the transferee is authorised to operate and carry out business in New South Wales. | [ ]  | Question 3 |
| Evidence of transferee is the owner of the minerals – if applicable | [ ]  | Question 5.1 |
| Written consent of the proposed transferee | [ ]  | Question 6 |
| Technical capability support documentation | [ ]  | Question 7 |
| Statement of corporate compliance, environmental performance history and financial capability of the proposed transferee (where not lodged online) | [ ]  | Question 9 |
| Proposed work program | [ ]  | Question 10 |
| Rehabilitation cost estimate | [ ]  | Question 11.1 |
| Proposed area for the partial transfer of an exploration licence or assessment lease described in graticular refences only – details to indicate depth of surface exception and depth restrictions for part areas being transferred | [ ]  | Question 14 |
| Proposed areas for the partial transfers (if applicable) | [ ]  | Question 15Question 16 |
| Notification of all parties | [ ]  | Question 17 |
| For payments made by direct deposit or prepaid - proof of payment | [ ]  | Question 18 |
| For agents only – evidence of appointment as agent | [ ]  | Question 20 |

* 1. Have you lodged all the required information with this form?

[ ]  Yes

[ ]  No – I will provide outstanding information within 10 business days of lodging this application

\*Failure to supply the information within this timeframe may be considered as grounds to refuse the application under cl6(d), sch1B; or reject the application under cl94AA(4) of the Regulation.

1. Declaration

This form should be signed by the applicant/s being the proposed transferors of the authority (in the case of a company a duly authorised officer) or an agent authorised to act on behalf of the applicant/s.

* 1. Applicant/s (individual or company)

Each applicant (or the authorised officer) must complete the declaration below and sign this form.

* I certify that the information provided is true and correct to the best of my knowledge and belief. I understand under the *Crimes Act 1900* NSW Part 5A, that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act section 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.
* (For companies only) In addition to the declaration above, by signing below, I also certify that I am authorised to complete and provide the information in this form on behalf of the company listed in section 3 of this form.

|  |
| --- |
| 1st Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

|  |
| --- |
| 2nd Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

* 1. Agent authorised to act for this applicant/s

Evidence of appointment is required if it has not been previously supplied to the Department.

* I certify that the information provided is true and correct to the best of my knowledge and belief. I understand under the *Crimes Act 1900* NSW Part 5A, that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act section 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.
* (For companies only) In addition to the declaration above, by signing below, I also certify that I am authorised to complete and provide the information in this form on behalf of the company listed in section 3 of this form.

|  |
| --- |
| Agent details |
| Name |       |
| Position/title |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email |       |
| Date |       |
| Signature | Agent Signature |

1. Evidence of appointment:

 [ ]  I have attached evidence of appointment to this application

 [ ]  I have previously supplied evidence of appointment to the Department.

# Office/Administrative use only

|  |
| --- |
| Application received: |
| Time: |       | Date: |       |
| Officer’s Name |       |
| Signature | Office use only signature |
| **Department fee amount:** $700 (per authority) for full transfer or $1,200 for partial transfer |
| Fee amount | $       |
| **Treasury fee amount:** $300 (per authority) for full transfer or $450 for partial transfer |
| Fee amount | $       |
| **Total fee amount:** $1,000 (per authority) for full transfer or $1,650 for partial transfer |
| Total amount: | $       |
| Receipt number |       |

# Document control

Approved by: Executive Director, Assessments and Systems, Regional NSW under delegation from the Minister administering the Mining Act*.*

CM9 Reference: RDOC22/124097

|  |
| --- |
| Amendment schedule |
| **Date** | **Version #** | **Amendment** |
| July 2020 | 1.0 | New format for Regional NSW. Form updated to reflect new Departmental name and branding, and updated links |
| August 2022 | 2.0 | Update credit card detailsNew format to reflect new template Regional NSW/MEGUpdate contact details to reflect @regional email addressUpdated footer: document number and dateReviewed links |
| March 2023 | 3.0  | Form updated to reflect commencement of Mining Regulation 2016 on 1 March 2023 and administrative updates. Included information incomplete applications. Administrative amendments |

1. Section 381B, Mining Act; cl [94AA(4)](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498#sec.94A)(g), Regulation. [↑](#footnote-ref-2)
2. Clause 33(1)(c), Regulation. [↑](#footnote-ref-3)
3. Sch. 1B cl 5, Mining Act. [↑](#footnote-ref-4)
4. Sch. 1B cl 4, Mining Act. [↑](#footnote-ref-5)
5. Sch. 1B, cl 6(b), Mining Act. [↑](#footnote-ref-6)
6. Sch. 1B cl 4(g), Mining Act. [↑](#footnote-ref-7)
7. Sch. 1B cl 4(b), Mining Act. [↑](#footnote-ref-8)
8. Clause 97, Regulation. [↑](#footnote-ref-9)
9. Section 122, Mining Act. [↑](#footnote-ref-10)
10. Schedule 1B, cl. 2(1)(c) & 6(b)(ii), Mining Act. [↑](#footnote-ref-11)
11. Clause 33(1)(h), Regulations. [↑](#footnote-ref-12)
12. Schedule 1B, cl. 2(1)(c), cl 4(b) & cl (6)(b)(ii), Mining Act. [↑](#footnote-ref-13)
13. Sch. 1B, cl 6, Mining Act. [↑](#footnote-ref-14)
14. Clause 18(1)(d), Regulations. [↑](#footnote-ref-15)
15. Clause 18(1)(d1), Regulation. [↑](#footnote-ref-16)
16. Section 120(2)(b), Mining Act; cl 33(1)(g), Regulation. [↑](#footnote-ref-17)
17. Schedule 1B, cl. 2(1)(c), cl 4(g) & cl (6)(b)(i), Mining Act. [↑](#footnote-ref-18)
18. Clause 33(2), Regulation. [↑](#footnote-ref-19)