December 2022

Application for transfer of a mineral claim within the
White Cliffs Mineral Claims District

# *Form SST9-WC Mining Act 1992*

# Lodgement information

For help with lodging this application or more information about small-scale titles in New South Wales, contact:

**Mining, Exploration and Geoscience**

**Small-Scale Titles Team**

**Phone +61 2 6820 5200**

**Fax +61 2 6829 0825**

whitecliffs@regional.nsw.gov.au

Note

* any reference to the '**Department**' in this form refers to **Regional NSW**

How to submit this form

Applications within White Cliffs Mineral Claims District

* **By email:** Send an electronic copy of your form, including any attachments, to whitecliffs@regional.nsw.gov.au
* **By mail:** Mail your form, including any attachments, to Mining, Exploration & Geoscience, Resource Operations, PO Box 314, Lightning Ridge NSW 2834
* **By fax:** Fax your form, including any attachments, to +61 2 6829 0825
* **In-person:** Submit your form, including any attachments at the Department Office, Shop 41 Opal Street, Lightning Ridge, New South Wales.

 Office hours are 9.30 am to 1.00 pm and 2.00 to 4.00 pm on Monday through Thursday, and 9.30 am to 1.00 pm on Friday.

**© State of New South Wales through Regional NSW** **2022**. The information contained in this publication is based on knowledge and understanding at the time of writing December 2022. 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.

# When to use this form

**This form is to be completed by holders of a mineral claim applying for approval of transfer of a mineral claim within the White Cliffs Mineral Claims District.**

This form has been prepared in accordance with the requirements of [s200](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.200) of the *Mining Act 1992* and the Mining Regulation 2016.

If there is insufficient room in any fields, please provide the information as an attachment.

# Important notes

Accompanying documentation

This application requires the current and proposed mineral claim holder(s) to provide proof of identity documents such as a valid driver's licence. The proof of identity document must include your name, date of birth, address, photograph and signature. If any details on your proof of identity document do not match the details provided in this form (e.g. address), then an explanation is to be provided

Any information or document required to accompany this application should be lodged within **10 business days of the lodgment date**. Failure to supply the information within this timeframe may be grounds for refusing the application according to [cl6(d) sch1B](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sch.1B-sec.6) of the *Mining Act 1992*.

Agents

If this application is lodged by an agent on behalf of the applicant(s), the Department will require written confirmation of the authority under which the agent operates and any limits of that authority. The agent must complete the declaration at the end of this form and supply written evidence of their appointment ([cl97](http://www.legislation.nsw.gov.au/%23/view/regulation/2016/498/part10/sec97) of the Mining Regulation 2016).

Next steps

Once your application has been received, it will be considered and may be granted or refused by the Secretary. The Department will notify you in writing of the outcome of your application.

Part A – Current mineral claim holder

This section is to be completed by the current holder(s) of the mineral claim. The current mineral claim holder(s) is the transferor.

1. Mineral claim number

|  |
| --- |
| Mineral claim number |
|       |

1. Current mineral claim holder(s) details

|  |
| --- |
| 1st Holder details |
| Name or company name  |      Proof of identity document (e.g. valid driver's licence) is attached.  |
| Australian Company Number (if a company is applying) |       |
| Name(s) of all company director(s) (if company applying)  |       |
| Contact person (if a company is applying) |      Proof of identity document (e.g. valid driver's licence) is attached. |
| Contact phone |       |
| Contact email |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
|       |
| My preferred contact method1 | [ ]  Email  | [ ]  Mail  |

1Note: The Department's preference is for email communication to customers

|  |
| --- |
| 2nd Holder details |
| Name or company name |      [ ]  Proof of identity document (e.g. valid driver's licence) is attached.  |
| Australian Company Number (if a company is applying)  |       |
| Name(s) of all company director(s) (if company applying)  |       |
| Contact person (if company applying) | [ ]  Proof of identity document (e.g. valid driver's licence) is attached. |
| Contact phone |       |
| Contact email |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
|       |
| My preferred contact method1 | [ ]  Email  | [ ]  Mail  |

1Note: The Department's preference is for email communication to customers

Additional current mineral claim holders

If there are more than two current mineral claim holders, please attach their names and contact details. The attachment must include all the contact information requested in the holder table above.

[ ]  I have attached additional current mineral claim holder details.

1. Buildings on the claim
	1. Is there any building erected on the mineral claim?

[ ]  No – If No, proceed to Question 4

 [ ]  Yes – if Yes, proceed to Question 3.2

* 1. Do the buildings erected on the mineral have approval?

[ ]  No

[ ]  Yes – I have attached a copy of the approval.

1. Registered legal or equitable interests in the mineral claim

Note: Under [s218B](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.218B) of the *Mining Act 1992*, any person can register a legal or equitable interest in a mineral claim with the Department. A transfer application must include the consent of any person with a registered legal or equitable interest in the mineral claim.

Are there any person(s) with a registered legal or equitable interest in the mineral claim?

[ ]  No

 [ ]  Yes, and I have attached written consent from the person(s).

1. Notice to landholders

Note: As the current mineral claim holder, you must fill in and give "Form WC22: Landholder notification of application for a transfer of a mineral claim within the White Cliffs Mineral Claims District" to the landholder on which your mineral claim is located. The notice includes a map and must be sent to the landholder before lodging a transfer application.

|  |
| --- |
| Details of serving "Form WC22: Notification of application for a transfer of a mineral claim" to the landholder  |
| Date notice was served to the landholder (dd/mm/yyyy):       |
| How did you serve the notice on the landholder? [ ]  Post [ ]  Email [ ] In-person [ ] Other:       |
| Confirm you have completed the following:[ ]  Attached is a copy of "Form WC22: Notification of application for a transfer of a mineral claim" served to the landholder [ ]  Attached is a copy of the map served to the landholder |

1. Checklist of items to be included with this application

Note: The 2 checklists below are to be completed by the applicant before signing the declaration.

|  |  |  |
| --- | --- | --- |
| Mandatory items to be attached to the application by the current mineral claim holder(s) | Yes | Reference |
| Proof of identity document (e.g. valid driver's licence) | [ ]  | Part A – Question 2 |
| Copy of Form WC22 Notification of application for a transfer of a mineral claim and map | [ ]  | Part A – Question 5 |

|  |  |  |  |
| --- | --- | --- | --- |
| Items to be attached to the application by current mineral claim holder(s) if applicable  | Yes | N/A | Reference |
| Additional mineral claim holder details and proof of identity document (e.g. valid driver's licence) | [ ]  | [ ]  | Part A – Question 2 |
| Approval for the erection of a building  | [ ]  | [ ]  | Part A – Question 3.2 |
| Written consent of the person(s) with registered legal or equitable interest | [ ]  | [ ]  | Part A – Question 4.1 |
| Additional mineral claim holder declaration  | [ ]  | [ ]  | Part A – Question 7.1 |
| For agents only, evidence of appointment and proof of identity document (e.g. valid driver's licence)  | [ ]  | [ ]  | Part A – Question 7.2 |

1. Declaration
	1. Current mineral claim holder(s)

Each current mineral claim holder(s) (or authorised representative of a company) 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](https://legislation.nsw.gov.au/view/html/inforce/current/act-1900-040#pt.5A), that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act 1992 section [378C](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.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), I declare that I am authorised to complete and lodge this application

|  |
| --- |
| 1st Holder details |
| Name or company name |       |
| Contact person and their position (for companies only) |       |
| Date |       |
| Signature | 1st Applications Signature |

|  |
| --- |
| 2nd Holder details  |
| Name |       |
| Contact person and their position (for companies only) |       |
| Date |       |
| Signature | 1st Applications Signature |

Additional current mineral claim holders

If there are more than two current holders of the mineral claim, please provide their signed declaration as an attachment. The attachment must be a copy of this page that the additional holder has filled in their name, date, and signed.

 [ ]  I have attached a signed declaration for additional current mineral claim holders

* 1. Agent authorised to act for current mineral claim holder (if applicable)

Note: As the current mineral claim holder, you can appoint an agent if desired. An agent can lodge an application on your behalf. You will need to provide written notice that you have appointed a person as your agent.

The authorised agent 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](https://legislation.nsw.gov.au/view/html/inforce/current/act-1900-040#pt.5A), that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act 1992 section [378C](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.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.
* I declare that I am authorised to complete and lodge this application

|  |
| --- |
| Agent details  |
| Name |      [ ]  Proof of identity document (e.g. valid driver's licence) is attached. |
| Contact phone |       |
| Contact email |       |
| Street address |       |
| Postal address | [ ]  Same as above      |
| My preferred contact method1 | [ ]  Email  | [ ]  Mail  |
| Evidence of appointment as an agent | [ ]  I have attached a written notice by the applicant of my appointment as their agent. |
| Date |       |
| Signature | Agent Signature |

1Note: The Department's preference is for email communication to customers

Part B – Proposed mineral claim holder(s)

This section is to be completed by the mineral claim's proposed holder(s). The proposed mineral claim holder(s) is the transferee.

1. Proposed mineral claim holder(s) details

Note: To be eligible to hold a small-scale title, you must be a person 18 years of age or older, or a company eligible to undertake business in New South Wales.

|  |
| --- |
| 1st Proposed holder details |
| Name or company name |      [ ]  Proof of identity documents (e.g. valid driver's licence) is attached.  |
| Date of birth (if a person)  |       |
| Australian Company Number (if a company is applying) |      [ ]  ASIC Certificate of Registration of a Company is attached (for new companies only) |
| Name(s) of all company director(s) (if company applying) |       |
| Contact person (if a company is applying) |      [ ]  Proof of identity documents (e.g. valid driver's licence) is attached. |
| Contact phone |       |
| Contact email |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
|       |
| My preferred contact method1 | [ ]  Email  | [ ]  Mail  |

1Note: The Department's preference is for email communication to customers

|  |
| --- |
| 2nd Proposed holder details |
| Name or company name |      [ ]  Proof of identity document (e.g., valid driver's licence) is attached.  |
| Date of birth (if a person) |       |
| Australian Company Number (if a company is applying)  |      [ ]  ASIC Certificate of Registration of a Company is attached (for new companies only) |
| Name(s) of all company director(s) (if a company is applying) |       |
| Contact person (if company applying) |      [ ]  Proof of identity documents (e.g. valid driver's licence) is attached. |
| Contact phone |       |
| Contact email |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
|       |
| My preferred contact method1 | [ ]  Email  | [ ]  Mail  |

1Note: The Department's preference is for email communication to customers

Additional proposed mineral claim holders

If there are more than two proposed mineral claim holders, please attach their names and contact details. The attachment must include all the contact information requested in the holder table above.

[ ]  I have attached additional proposed mineral claim holder details.

1. Current mineral claims

Note: You can only hold a maximum of two mineral claims unless you have had the rights of a mineral claim devolved onto you under [s202](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.202) of the *Mining Act 1992*.

Do you have any other mineral claims granted or applied for?

 [ ]  No

 [ ]  Yes, provide mineral claim numbers:

|  |
| --- |
|       |

1. Compliance history

Note: Under [s380A](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.380A) of the *Mining Act 1992*, the Department may consider your compliance history to determine if you are a fit and proper person to be granted a mineral claim.

* 1. Have the transferee or company directors contravened the *Mining Act 1992* in the last ten years?

[ ]  No

 [ ]  Yes - if yes, provide details below1:

|  |  |
| --- | --- |
| Offence description | Response |
| Penalty Infringement Notice number: |       |
| Name (person or company) on the penalty infringement notice |       |
| Date of offence |       |
| Location of offence, including the property name or Mineral Claim number or Opal Prospecting Licence number |       |
| Offence provision or section breached under the *Mining Act 1992* |       |

1Note: If there is more than one offence, please provide additional offence details as an attachment. The offence details must include all the requested information in the table above.

* 1. Have the transferee(s) or company directors had a mineral claim or opal prospecting licence suspended, cancelled, or revoked?

[ ]  No

 [ ]  Yes - if yes, mineral claim or opal prospecting licence number(s):

|  |
| --- |
|       |

* 1. Have the transferee(s) or company directors contravened the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* in the last ten years?

[ ]  No

 [ ]  Yes – if yes, provide details below1:

|  |  |
| --- | --- |
| Offence description | Response |
| Penalty Infringement Notice number: |       |
| Name (person or company) on the penalty infringement notice |       |
| Date of offence |       |
| Location of offence, including property name or Mineral Claim number or Opal Prospecting Licence number |       |
| Offence provision or section breached under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* |       |

1Note: If there is more than one offence, please provide additional offence details as an attachment. The offence details must include all the requested information in the table above.

* 1. Have the transferee(s) or company directors contravened the legislation or committed an offence listed in the table below:

|  |  |  |
| --- | --- | --- |
| **Compliance question** | **No** | **Yes1** |
| Have the transferee(s) or company directors in the last ten years contravened the *Environmental Planning and Assessment Act 1979*? | [ ]  | [ ]  |
| Have the transferee(s) or company directors in the last ten years contravened environment protection legislation2?  | [ ]  | [ ]  |
| Have the transferee(s) or company directors been convicted for an offence involving fraud or dishonesty in the last ten years?  | [ ]  | [ ]  |
| Have the transferee(s) or company directors been convicted of a serious offence3? | [ ]  | [ ]  |

1Note: If answering "Yes" to any of the compliance questions, you must provide details as an attachment. The details must include the offence's name, date and location, legislation contravened, and type of enforcement action.

2Note: Environment protection legislation includes: [*Contaminated Land Management Act 1997*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-140)*;* [*Dangerous Goods (Road and Rail Transport) Act 2008*](https://legislation.nsw.gov.au/view/html/inforce/current/act-2008-095)*;* [*Environmental Trust Act 1998*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1998-082)*;* [*Environmentally Hazardous Chemicals Act 1985*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1985-014)*;* [*Ozone Protection Act 1989*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1989-208)*;* [*Pesticides Act 1999*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1999-080)*;* [*Protection of the Environment Operations Act 1997*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156)*;* [*Radiation Control Act 1990*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1990-013)*;* [*Recreation Vehicles Act 1983*](https://legislation.nsw.gov.au/view/html/inforce/current/act-1983-136)*; and* [*Waste Avoidance and Resource Recovery Act 2001*](https://legislation.nsw.gov.au/view/html/inforce/current/act-2001-058)*.*

3Note: A serious offence is considered imprisonment for life; or imprisonment for term of five years or more; or by a fine of $500,000 or more

1. Fee payment
	1. What was the mineral claim's sale price or current market value (whichever is greater)?

$

* 1. Fee payment

The application fee is under [Sch 9](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498#sch.9) of the Mining Regulation 2016. The fee must be paid when the transfer application is fully submitted.

The fee payment amount to be collected when the form is fully submitted and/or grant of transfer of mineral claim, including the items listed in the table below:

|  |  |
| --- | --- |
| Fee | Payment amount |
| Application fee | $ 120 (paid when the application is fully submitted)  |
| Transfer duty1 | Calculated using Revenue NSW calculators ($10 minimum duty fee applied) based on the declared sale price or current market value, whichever is higher (paid before grant) |

1Note: Transfer duty is collected by the Department on behalf of Revenue NSW when a mineral claim is transferred. The amount of transfer duty payable can be calculated using the Revenue NSW [calculator](https://www.apps09.revenue.nsw.gov.au/erevenue/calculators/landsalesimple.php) at revenue.nsw.gov.au

* 1. Select your payment method

|  |
| --- |
| Select Payment Method |
| [ ]  | Cash |
| [ ]  | Credit card\* (enter details below) |
| Payment amount\* | $      |
| Type of card\* |       |
| Cardholder's name: |       |
| Card number: |       |
| Expiry date (mm/yy): |       |
| \*Credit card merchant fees apply to all credit card payments and will be added to the payment amount at the following rates:Visa & Mastercard: 0.4% Amex: 1.4% |

1. Checklist of items to be included with this application

Note: The two checklists below are to be completed by the applicant before signing the declaration.

|  |  |  |
| --- | --- | --- |
| Mandatory items to be attached to the application by the proposed mineral claim holder(s) | Yes | Reference |
| Proof of identity document (e.g. valid driver's licence) | [ ]  | Part B – Question 1 |

|  |  |  |  |
| --- | --- | --- | --- |
| Items to be attached to the application by proposed mineral claim holder(s) if applicable  | Yes | N/A | Reference |
| Additional proposed mineral claim holder details and proof of identity document (e.g. valid driver's licence) | [ ]  | [ ]  | Part B – Question 1 |
| For companies, ASIC Certificate of Registration, if not already provided  | [ ]  | [ ]  | Part B – Question 1  |
| Details of applicants or companies' additional offences  | [ ]  | [ ]  | Part B – Question 3 |
| Additional proposed mineral claim holder declaration  | [ ]  | [ ]  | Part B – Question 7.1 |
| For agents only, written evidence of appointment and proof of identity document (e.g. valid driver's licence) | [ ]  | [ ]  | Part B – Question 7.2 |

1. Declaration
	1. Proposed mineral claim holder(s)

Each proposed mineral claim holder(s) (or authorised representative of a company) 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](https://legislation.nsw.gov.au/view/html/inforce/current/act-1900-040#pt.5A), that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act 1992 section [378C](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.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), I declare that I am authorised to complete and lodge this application

|  |
| --- |
| 1st Proposed holder details |
| Name or company name |       |
| Contact person and their position (for companies only) |       |
| Date |       |
| Signature | 1st Applications Signature |

|  |
| --- |
| 2nd Proposed holder details |
| Name or company name |       |
| Contact person and their position (for companies only) |       |
| Date |       |
| Signature | 1st Applications Signature |

Additional proposed mineral claim holders

If there are more than two proposed mineral claim holders, please attach their signed declaration. The attachment must be a copy of this page that the additional proposed holders have filled in their name, date, and signed.

 [ ]  I have attached a signed declaration for additional proposed mineral claim holders

* 1. Agent authorised to act for the proposed mineral claim holder(s) (if applicable)

Note: As the proposed mineral claim holder, you can appoint an agent if desired. An agent can lodge an application on your behalf. You will need to provide written notice that you have appointed a person as your agent.

The authorised agent 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](https://legislation.nsw.gov.au/view/html/inforce/current/act-1900-040#pt.5A), that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act 1992 section [378C](https://legislation.nsw.gov.au/view/html/inforce/current/act-1992-029#sec.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.
* I declare that I am authorised to complete and lodge this application

|  |
| --- |
| Agent details |
| Name |      [ ]  Proof of identity document (e.g. valid driver's licence) is attached  |
| Contact phone |       |
| Contact email |       |
| Street address |       |
| Postal address | [ ]  Same as above      |
| My preferred contact method1 | [ ]  Email  | [ ]  Mail  |
| Evidence of appointment as an agent | [ ]  I have attached a written notice by the applicant of my appointment as their agent |
| Date: |       |
| Signature | Agent Signature |

1Note: The Department's preference is for email communication to customers

# Office use only

|  |
| --- |
| Application received for mineral claim number: |
| Time:       | Date:       |
| Officer's Name:       |
| Signature:Agent Signature |
| Application granted: |
| Date:       |
| Officers name:       |
| Signature:Agent Signature |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Fee | Amount | Receipt number | Receipt date | Payment method  |
| Application fee  | $120 |       |       | [ ]  Cash [ ]  Card |
| Transfer Duty | $      |       |       | [ ]  Cash [ ]  Card |
| Other  | $      |       |       | [ ]  Cash [ ]  Card |
| Total amount | $      |       |       |  |

Checklist

[ ]  Identification (Holder) [ ]  Transfer duty calculation

[ ]  Identification (Transferee)

Document control

Approved by: Executive Director, Assessments and Systems under delegation from the Minister administering the *Mining Act 1992*.

CM9 Reference: RDOC22/246070

|  |
| --- |
| Amendment schedule |
| **Date** | **Version #** | **Amendment** |
| December 2022 | 1.0 | The Department created a new form. The document reflects Departmental branding and references. |