

Policy

Consultation draft - Revised annual report release policy

Mining Act 1992

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For further information about this policy or any of the supporting material cited in this document, please contact MEG via email: redaction@regional.nsw.gov.au

Table 1: Website links for further information

Subject	Website links
Key contacts	meg.resourcesregulator.nsw.gov.au/contact
Exploration reporting	meg.resourcesregulator.nsw.gov.au/mining-and-exploration/compliance-and-reporting/exploration-reporting

Redaction

Email: redaction@regional.nsw.gov.au

Annual report release policy

Background

Holders of authorities (exploration licences, assessment leases and mining leases) need to prepare and lodge annual reports (annual exploration reports), under clause 59 of the Mining Regulation 2016. Annual reports remain confidential for the first 5 years after lodgement (section 365 of the *Mining Act 1992*, clause 64 of the Mining Regulation 2016). However, after 5 years, annual reports may be released to the public.

The NSW Government is committed to making historical exploration data available to support new investment in exploration to meet the growing global demand for minerals. Mining, Exploration and Geoscience (MEG) within the Department of Regional NSW meets this commitment by publicly releasing annual reports with associated data under the Annual report release policy.

Purpose

The purpose of this policy is to inform stakeholders about the way in which MEG intends to manage the process for the public release of annual reports with associated data 5 or more years after lodgement.

Benefits

Exploration data is a valuable resource for the state, mining and exploration companies and the geoscientific community. Having access to a more comprehensive exploration data set will enable companies to more effectively complete exploration activities in underutilised areas.

Improved report and data availability:

- encourages greater mineral exploration investment in under-explored and under-utilised areas of NSW to stimulate the economy
- increases the likelihood of locating new economically viable mineral deposits to improve long term job creation in regional areas
- improves investment attraction and export development opportunities in new prospective mining areas
- improves the efficiency and equity of exploration and mining for the benefit of businesses, communities and people of NSW.

Release stages and timing

The timing of policy release stages is outlined in Figure 1.

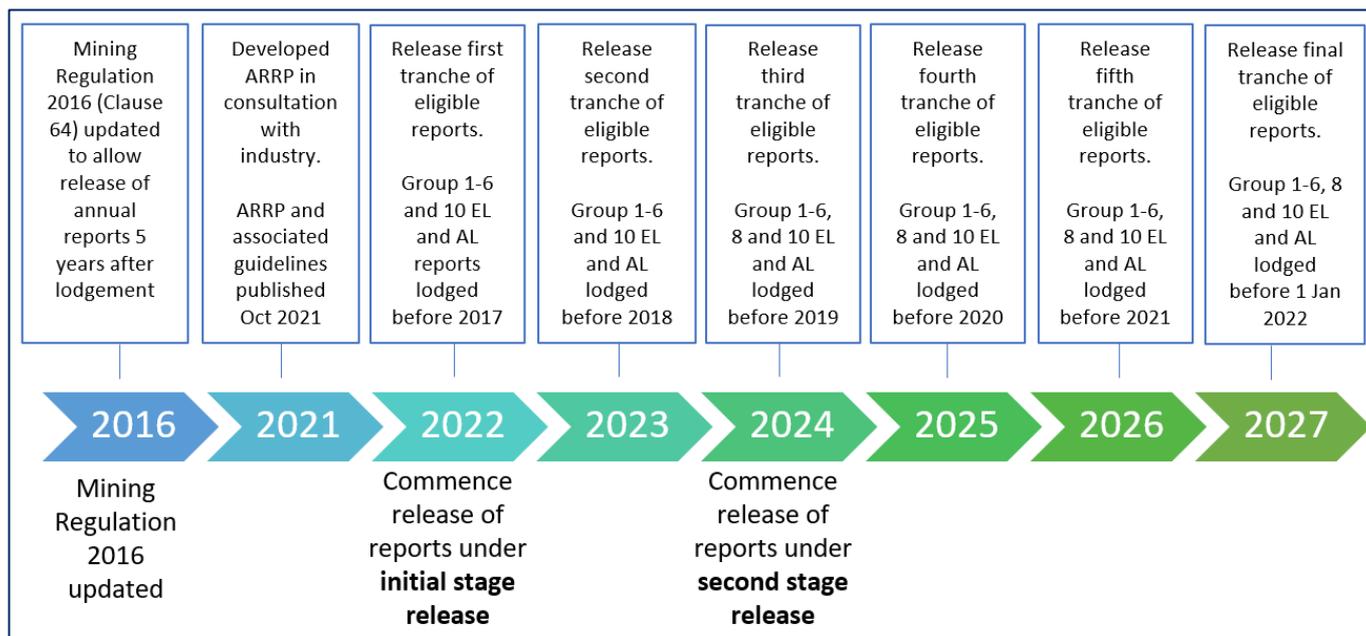
Initial stage release (2022): Under the initial stage release, MEG commenced the annual release of annual reports and associated data for exploration licences and assessment leases for mineral groups 1-6 and 10 that were lodged more than 5 years before 1 June 2021 as they became eligible for release. The Annual Report Release Policy was published in October 2021, and the first tranche of eligible reports were released in 2022.

Exceptions were made where historical exploration authorities had ‘flow on’ mining leases. Reports submitted under those exploration authorities were withheld from initial release pending further consultation.

Second stage release (2024): In 2024 MEG will commence the release of previously exempt annual report types, subject to limited exceptions, as outlined in Table 1.

Subsequent releases: MEG will release annual reports and associated data annually as they become eligible to be released.

Figure 1 Release stages and timing



Second stage release (2024)

MEG will commence the release of additional annual report types in 2024, not previously included in the policy, subject to limited exceptions as outlined below and in Table 1.

- Annual reports for mining leases will not be released under the Annual report release policy.
- Annual reports for mineral groups 1-6 and 10 that were associated with a mining lease with the ‘flow-on’ confidentiality condition will now be released under the revised Annual report release policy. The reference to confidentiality and ‘flow-on’ authorities has now been removed from all remaining mining lease conditions.
- Annual reports for mineral group 1-6 and 10 exploration licences and assessment leases that were historically group reported under an approved reporting group with a mining lease, where that mining lease remains in force, will not be released. This is to be consistent with not releasing mining lease reports.
- Annual reports for mineral group 1-6 and 10 exploration licences and assessment leases that overlie a subsurface mining lease or are stratified between subsurface mining leases, where that mining lease remains in force, will not be released for any reports submitted after the grant of the associated mining lease.
- Annual reports for Group 7 small scale titles (opal prospecting licences and mineral claims within an opal prospecting area) will not be released under the Annual report release policy. Annual reports for exploration licences and assessment leases that include Group 7 minerals but are located outside of an opal prospecting area will be released.
- Annual reports for Group 9 will not be released however, baseline geological data (see glossary) submitted with Group 9 reports will be released.
- Annual reports for Group 8, Group 11 and Group 12 are included for release of any future reports submitted.

Table 2 Annual reports and data - Eligibility for release under the Annual report release policy

Mineral group	Annual reports and data submitted prior to 31 December 2021	Annual reports and data submitted from 1 January 2022 onward
Group 1-6 and Group 10	<p>Exploration licences and assessment leases (Including authorities with ‘flow-on’ mining leases) 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release annual report (original report or redacted report where submitted) • release data that is eligible to be released * <p>Mining leases Not available for release whilst authority remains in force</p>	<p>Exploration licences and assessment leases (Including authorities with ‘flow-on’ mining leases) 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release Part A of annual report • release associated data that is eligible to be released* <p>Mining leases Not available for release whilst authority remains in force</p>
Group 7	<p>Reports from opal prospecting licences and mineral claims within opal prospecting areas are not available for release.</p> <p>Exploration licences and assessment leases that include that include group 7 but are located outside of an opal prospecting area 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release annual report (original report or redacted report where submitted) • release data that is eligible to be released* <p>Mining leases and mineral claims Not available for release whilst authority remains in force</p>	<p>Reports from opal prospecting licences and mineral claims within opal prospecting areas are not available for release.</p> <p>Exploration licences and assessment leases that include that include group 7 but are located outside of an opal prospecting area 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release annual report (original report or redacted report where submitted) • release data that is eligible to be released* <p>Mining leases and mineral claims Not available for release whilst authority remains in force</p>
Group 8	<p>Exploration licences 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release annual report (original report or redacted report where submitted) • release data that is eligible to be released* <p>Assessment and mining leases Not applicable – no reports available</p>	<p>Exploration licences and assessment leases 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release Part A of annual report • release associated data that is eligible to be released* <p>Mining leases Not available for release whilst authority remains in force</p>
Group 9 (Includes 9A)	<p>Exploration licences and assessment leases 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release baseline geological data** that is eligible to be released* <p>Mining leases Not available for release whilst authority remains in force</p>	<p>Exploration licences and assessment leases 5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release baseline geological data** that is eligible to be released* <p>Mining leases Not available for release whilst authority remains in force</p>

Mineral group	Annual reports and data submitted prior to 31 December 2021	Annual reports and data submitted from 1 January 2022 onward
Group 11 and 12	Not applicable – no reports available	<p>Exploration licences and assessment leases</p> <p>5 years after lodgement of the report:</p> <ul style="list-style-type: none"> • release part A of annual report • release associated data that is eligible to be released* <p>Mining leases</p> <p>Not available for release whilst authority remains in force</p>
<p>* Schedule of data confidentiality is included within Appendix 2 of Annual report redaction guide</p> <p>** Baseline geological data is defined in the glossary – Appendix 1</p>		

Report release and redaction process

Before release, MEG will give authority holders the opportunity to redact personal, proprietary or commercially sensitive information from an annual report, in accordance with the Annual report redaction guide. Key dates for this process are in Schedule 1.

- For the second stage release (2024), the list of annual reports scheduled to be released will be published on the MEG website from 1 February 2024.
- For subsequent releases, the list of annual reports scheduled to be released will be published on the MEG website from 1 February each year from 2024 to 2027.

Note: Annual reports submitted from 1 January 2022 are required to have personal, proprietary, or commercially sensitive information included in Part B of the annual report (which will not be published while the authority remains in force). Therefore, redaction for reports submitted after 1 January 2022 will not be required after 1 January 2027. Redaction provisions may continue to exist for reports for which release was initially deferred and that were submitted before 1 January 2022.

Process to request redaction

An authority holder may request to redact parts of an annual report or eligible data before release to the public. Authority holders requesting redaction will be required to notify MEG that redaction is being sought by 1 August for each year. Authority holders may request a copy of relevant annual reports before 31 March each year to review and redact. MEG will provide a copy of the requested report by 1 May each year.

MEG will begin publicly releasing reports, where no notice requesting redaction has been received from an authority holder, by 1 September each year.

Authority holders will be required to provide redacted reports with associated data supplied in the current reporting templates by 1 February the following year. The original version of the report will remain confidential for the life of the authority.

The request for redaction will be assessed against the criteria outlined in the redaction guide using the process illustrated in Figure 2 release and redaction process.

MEG will begin the release of unredacted reports and associated data on 1 September and also reports where a redaction request was received by MEG, but no redacted report was provided by 1 March the following year (see Schedule 1 key dates).

Requests for review of redaction assessment outcome

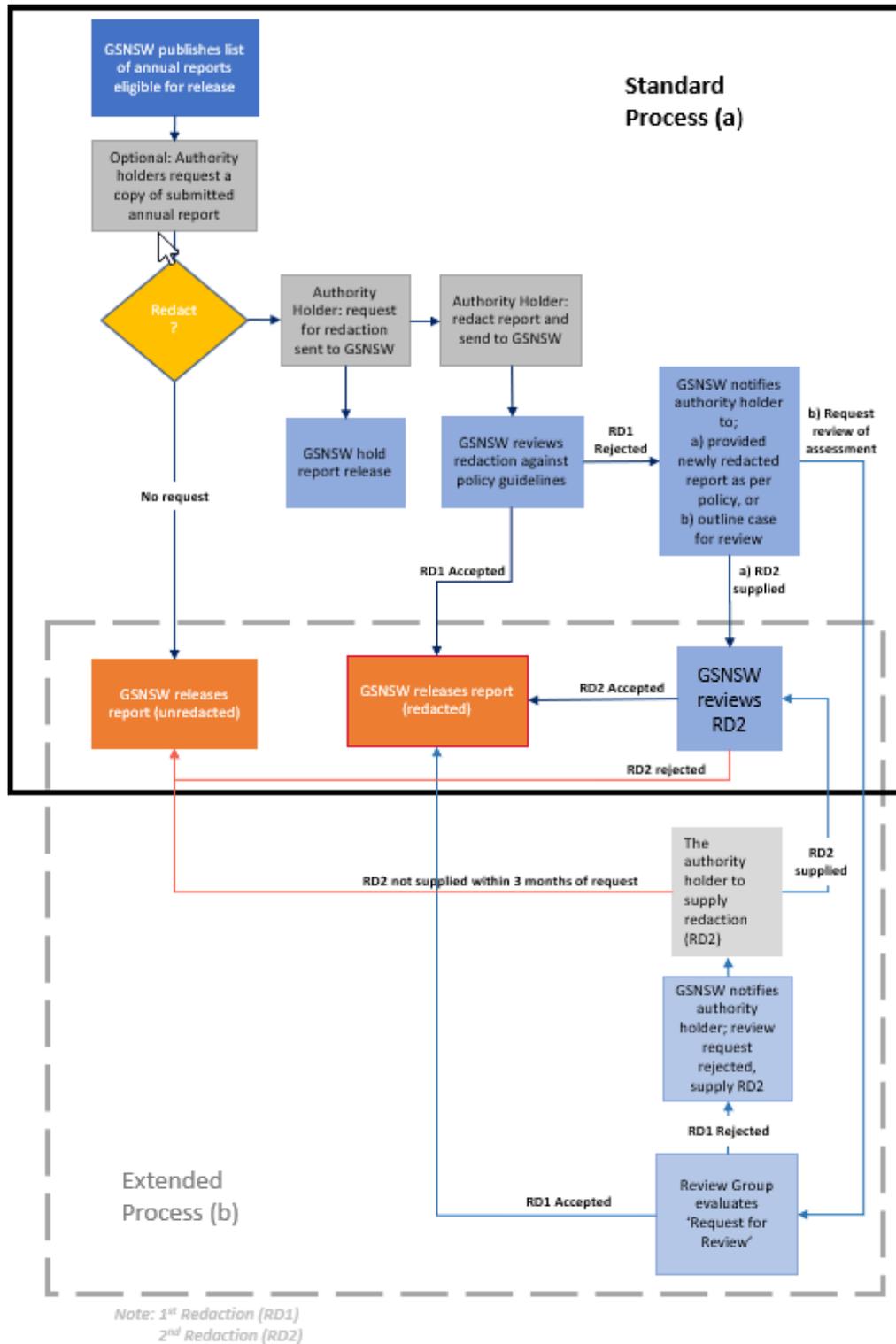
If a redaction is rejected by MEG but the authority holder does not agree with MEG’s decision, the authority holder may request an internal review. Each request to review will be evaluated and decided by the Redaction review group within MEG, see Table 2.

Authority holders will have one month following receipt of email notification of their first redaction (RD1) being rejected, to appeal and state their case to the group in writing through TMS. For further details regarding TMS see the MEG webpage.

Table 2 Redaction review group

Position	Responsibility
Manager Mineral Exploration Assessment	Review request and advise action
Director Geological Assessment and Advice	Approve advised action

Figure 2 Release and redaction process



Digital data to be submitted with redacted reports

If a historic report contained data that was not originally provided in tabular format, this data set must be provided in a tabular format with the redacted report. The data must be supplied:

- a) in the current data templates found on the [MEG webpage](#) (preferred) or
- b) in your own tabular digital data format, subject to approval from MEG.

Further queries related to digital data submission, and requests for approval to provide data in your own tabular format (rather than use of MEG data template), should be directed to redaction@geoscience.nsw.gov.au.

Supporting documentation and guidance material

To support the implementation of this policy, the following documents have been updated or developed and should be read in conjunction with this policy.

- The Exploration Reporting Guide: A guide for reporting and prospecting in NSW has been updated to reflect the latest reporting requirements, data formats, lodgement facilities, and the Annual report release policy.
- The Annual Report Redaction Guide outlines the process to request the redaction of information that is personal, commercially sensitive and/or proprietary in nature.

Schedule 1 key dates

Table 3 Key dates for release of existing and new reports

This timeline applies to all report types being released under the revised ARR. P.

Date (annually)	Milestone
1 February	MEG publish a list of annual reports held in DIGS, proposed to be released.
31 March	Deadline for authority holders to request a copy of relevant annual reports.
30 April	Deadline for MEG to provide a copy of requested annual reports.
31 July	Deadline for authority holders to submit a request to redact.
01 September	MEG commence release of reports and associated data where no request to redact has been received.
31 January (following year)	Deadline for authority holders to provide redacted reports and/or data in current reporting templates. The original version of the report will remain confidential for the life of the authority.
1 February (following year)	MEG commences release redacted reports that have been received and accepted.

Date (annually)	Milestone
01 March (following year)	MEG release original reports where a request to redact was received but no redacted report was provided.

Appendix 1 Glossary

Table 4: Glossary of key terms in this guide.

Abbreviation	Description
Annual report	Annual exploration report including associated data submitted together with the report.
Assessment Lease	Assessment lease (AL), assessment (mineral owner) lease (A(MO)L)
Baseline geological data - Group 9/9A	Borehole locations, rehabilitation status, borehole metadata, downhole surveys, geological logging, geophysical and wireline logging, geotechnical logging and sampling, formation depths, seam details, core and chip photos, water observations, and other sampling such as hydrogeochemistry etc.
Commercially sensitive	Commercially sensitive and/or proprietary information that is not already publicly available through other means.
Confidentiality condition	Some old authorities previously had a confidentiality period written into their licence conditions. These conditions have been removed from all current Mining Leases.
DIGS	Mining, Exploration and Geoscience’s publicly accessible online collection of reports, publications, and data
Exploration licence	Authorisation (Auth), exploration licence (EL), exploration (prospecting) licence (EPL), exploration (mineral owner) licences (E(MO)L)
Flow on authority	For the purposes of this policy, a flow on is where an application for a new authority has been lodged or granted over the same ground (or part thereof), of a current authority and the ownership is retained for that subsequent new authority, even though the authority type may change. e.g., MLA/ML lodged/granted over a previous EL or AL, an ALA/AL lodged/granted over previous EL, or a consolidated EL granted over previously separate ELs.
MEG	Mining, Exploration and Geoscience
Mining lease	Mining lease means a mining lease granted under Part 5 of the Mining Act and includes a consolidated mining lease.
Mineral Group	Mineral Group as defined in Schedule 2 of the Mining Regulation 2016
Personal information	Personal information means information or an opinion (including information or an opinion forming part of a database and whether recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion (Privacy and Personal Information Protection Act, 1998).
Published list of reports	The list of reports that have been lodged for more than 5 years. This list will be published on the MEG webpage in accordance with the dates in this document.
TMS	Titles Management System

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