



Instructions for Lodging an Exploration Licence Application Online

Before lodging an exploration licence application (ELA) online, applicants **must** be registered customers of the Department and have up to date details recorded. If you need to register or change your details, please call (02) 4931 6488 between 9.30am and 4.30pm Monday to Friday, excluding NSW public holidays.

IMPORTANT NOTE: By the applicant excepting that they have read these instruction before lodging an application, it is taken to be certifying the information contained in the application and attached supporting documentation is prepared in accordance with the provisions of the *Mining Act 1992* and the *Mining Regulation 2010*. Note: Penalties now apply for provision of false or misleading information.

Details information relating to exploration licences is available on the Department's website at <http://www.dpi.nsw.gov.au/minerals/titles> including:

Title Policies – particularly Departmental policies relating to the Policy on Exploration Licence Applications over existing titles, and the Policy on Receipt of Applications for Exploration & Mining titles relating to the retention of fees on refused applications.

- **Native title and Exploration Licences**
- **Newspaper advertisement guidelines**
- **Application fees** - Payment in full of the prescribed fee via credit card is required to complete an online application – Mastercard, Visa, Amex and Diners Club cards are accepted.

Completion of the Form

All questions must be satisfactorily addressed. Please check the web site listed above, or contact Titles on 02 4931 6500 if you require additional guidance.

Notes:

Where there is insufficient space on the online form to provide information, relating to Questions 4, 5, 6 or 7, please email the additional information to elapplications@industry.nsw.gov.au, quoting the application number allocated at the completion of the online application process. **The maximum size of an email including its attachments is five megabytes.** Where additional information is too large to email, applicants may send a CD, DVD or documents by courier to the Team Leader Minerals Titles, I&I NSW, 516 High Street, Maitland NSW 2320, or by post to the Team Leader, Minerals Titles, I&I NSW, PO Box 344, Hunter Region Mail Centre, NSW 2310.

If additional information is being sent separately, a notation along the lines of “sent by email/courier” should be entered on the online form in response to the relevant question(s).

All supporting material must be **received within 10 working days** from online lodgement. Insufficient information provided with applications may result in the refusal of the application.

Q1. Group/s of minerals sought:

Details of mineral groups are contained in Schedule 2 of the *Mining Regulation 2010*, which may be obtained online at <http://www.legislation.nsw.gov.au/maintop/scanact/inforce/NONE/0>

Select **Browse A-Z In Force**. Under the heading **Regulations etc in Force** choose the letter **M**, then **Mining Regulation 2010** and look for **Schedule 2 Groups of minerals**.

Note: Applications for Group 9 Minerals (Coal and Shale) may not be lodged online. All applications for Group 9 minerals require Ministers Consent before an application may be lodged. Refer to <http://www.dpi.nsw.gov.au/minerals/titles> for further information.

Q2. Are you applying for a low-impact exploration licence?

A low-impact exploration licence is excluded from the 'Right to Negotiate' provisions of the *Commonwealth Native Title Act 1993* but authorises only a limited range of prospecting operations. If you answer **No**, you need to decide whether you desire to follow either:

Option 1 – Minister's consent. This licence allows you to prospect on any **non** native title land. However, should you wish to prospect on any land that is claimable under the *Commonwealth Native Title Act 1993*, you will require Minister's consent. In order to obtain Minister's consent, you will be required to follow the 'Right to Negotiate' provisions of that Act.

Option 2 – 'Right to Negotiate'. This option allows you to follow the 'Right to Negotiate' provisions of the *Commonwealth Native Title Act 1993* prior to the grant of an exploration licence. Additional fees are applicable if this option is undertaken.

Q3. Description of area sought *(these are displayed as selected on the previous screen map)*

Note: Section 25 of the *Mining Act 1992* provides that the land over which an exploration licence is granted may not include any land outside the land sought. Great care must therefore be taken when specifying the area required.

Ensure that you select all the map blocks and/or units you require, by zooming in then clicking on either the whole block or individual units. You may also modify your selection as follows:

- (a) Use the toolbar buttons to add or delete blocks and units.
- (b) Use the list of selected blocks below the toolbar to check or uncheck (tick or untick) selected units. The lists also provide details of potential conflicts, hence it is very easy to deselect individual units if you wish to remove them from your application

An application that relates to land within a mineral allocation area may not be made, except with the consent of the Minister, in relation to any group of minerals that includes an allocated mineral. Before you lodge the ELA, it is suggested that you click on the "Display ELA report" box (located beside the "Lodge ELA" icon). Any conflicts affecting this application will be displayed.

Applications for greater than 100 units will only be considered if they contain strong substantiating justification. The program for these must clearly demonstrate how the full area applied for will be effectively explored, and must include explanatory A4 maps clearly showing proposed work areas.

Q4. Available financial resources.

Details of financial capacity to meet exploration commitments in NSW.

Particulars of financial resources must be provided in the form of a certificate issued by a member of CPA Australia or the Institute of Chartered Accountants in Australia, stating the applicant has sufficient financial resources at the time of lodgement, to meet the financial commitments on all the applicant's authorities and authority applications.

Q5. Particulars of the relevant technical advice available to the applicant

List details of persons or organisations providing technical advice together with the name and contact details of a person who will be responsible for the supervision of prospecting operations and for the preparation of exploration reports. The qualifications and experience of the nominated person must be supplied. If the nominated person is not an employee of the applicant, acceptance of the role of technical manager must accompany this application.

It is expected that the nominated person will be a qualified geoscientist with mineral exploration experience.

Q6. Particulars of proposed Program of Work.

The proposed exploration program must contain sufficient detail to satisfy the Department that an effective exploration program will be conducted. The proposal **must** outline the rationale, objectives and exploration methods to be used. As a guide, the following headings and descriptions should be used:

- Rationale – to contain a brief (1-2 paragraph) description of area selection rationale, including significant aspects of regional geology and structures. Reference should also be made to commodities and style(s) of mineralisation.
- Objectives – to include a brief description of anticipated outcomes or advances made to the project on conclusion of the program.
- Exploration Methods – description of proposed exploration methods. Should show conformity with stated rationale and objectives and be clearly scheduled over a minimum two year period.

Note: For Group 8 applications – the work program must provide sufficient information to support the period the licence is applied for, eg, an applicant seeking a 5 year exploration licence must provide a year by year summary of the proposed exploration program.

Applications for greater than 100 units will only be considered if they contain strong substantiating justification. The program for these must clearly demonstrate how the full area applied for will be effectively explored, and must include explanatory A4 maps clearly showing proposed work areas.

Q7. Estimated Expenditure on Work Program

A statement providing an estimate of the amount of money proposed to be spent on prospecting. This will need to be correlated with the proposed program outlined in **Q6** above and cover the full period applied for.

Table 2: Guide to Expenditure Requirements for Exploration Licences

Area	Grant	Renewal
1 Unit *	\$5,000 p/a for all groups	\$5,000 p/a for all groups
2 to 6 Units	Group 1: \$2,000 plus \$3,000 per unit p/a Groups 2, 5 & 10: Half the Group 1 expenditure applied. Other Groups: At discretion of Exploration Titles Committee	Group 1: \$2,000 plus \$3,000 per unit p/a Groups 2, 5 & 10: Half the Group 1 expenditure applied. Other Groups: At discretion of Exploration Titles Committee
Greater than 6 Units	Group 1: \$20,000 plus \$500 per unit p/a Groups 2, 5 & 10: Half the Group 1 expenditure applied. Other Groups; At discretion of Exploration Titles Committee	Group 1: \$30,000 plus \$1000 per unit p/a Groups 2, 5 & 10: Half the Group 1 expenditure applied. Other Groups: At discretion of Exploration Titles Committee

* See Clause 10 of the Mining Regulations 2010 description of the term “unit”

Note: The Exploration Titles Committee (ETC) retains the discretion to vary the expenditure requirements for individual licences. A more detailed estimate is required for ELA's greater than 100 units.

Q8 Statement of Environmental Performance record (as defined in Clause 4 of the *Mining Regulation 2010*) of the applicant

Clause 4 defines environmental performance record as:

- (1) The following information is prescribed as the environmental performance record of the relevant person for the purposes of making an application under this Regulation:
 - (a) details of any conviction under environmental protection legislation or other relevant legislation in the 5 years immediately before the application is made, of:
 - (i) the person, and
 - (ii) if the person is a natural person—any corporation of which the person was a director at the time of the offence leading to that conviction, and
 - (iii) if the person is a corporation—each director of the corporation, any related corporation of the corporation and any other corporation of which a director was also a director at the time of the offence leading to that conviction,
 - (b) details of any of the following approvals under environmental protection legislation or other relevant legislation if the approval has been revoked or suspended in the 5 years immediately before the application is made:
 - (i) any approval held by the person,
 - (ii) any approval held by a corporation of which the person was a director at the time of the revocation or suspension,
 - (iii) if the person is a corporation—any approval held by a related corporation of the corporation and any other corporation of which a director of the person was also a director.
- (2) In this clause, approval includes consent, licence or permission or any form of authorisation.

Q9. Period for which licence is sought

The current policy is to grant exploration licences for a term of two years, online applications have been restricted to two year period

Q10. (For Individuals Only) Are you at least 18 years of age?

The *Mining Act 1992* (Section 129) requires holders to be at least 18 years of age.

Q11. Have you ever been convicted of an offence against the Mining Act 1992 or the Regulations or any other offence relating to mining or minerals? If yes, give details.

Where the answer is 'yes', you must provide details of the offence. If you have been convicted of an offence this will be taken into consideration in making any recommendations regarding the grant of an exploration licence.

Applicant/s Details

If you have not been a customer of the Department before, or your company name has changed since your last ELA, you will need to have your name and address details entered or updated in our database before you can lodge an application online. To create, update or confirm your customer details please call (02) 4931 6488 between 9.30am and 4.30pm Monday to Friday, excluding NSW public holidays.

The online system will accept up to 6 applicants per exploration licence application. Applicants should be selected from the drop down list authority holders currently held in the Department's database.

By completing this form it is assumed the applicant is authorised to operate and carry out business in the state of New South Wales.

Address for correspondence related to this application Contact Name, Telephone, Fax and Email

Specify the name and contact details of **one** person upon whom any notices or other documents will be served in regard to this application. If you have selected an agent however, to act on your behalf, all correspondence relating to this application will then be between the Department and the agent.

You must enter an email address here if you wish to receive email confirmation of this application.

PRIVACY STATEMENT

This information is collected by Department of Industry & Investment for the purposes of assessing an application for an authorisation, or associated with an authorisation as required by the *Mining Act 1992* or *Mining Regulation 2010*.

This information may also be used by the Department to confirm applicant details in the event that subsequent applications are made, and may also be used to establish and maintain databases to assist the Department with its work generally.

Except for purposes required by law, the information will not be accessed by any third parties in a way that would identify the person without the consent of that person.

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