

# First Schedule

## Schedule of Forms

### Form

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2. Application for Permit to Enter upon Private Land.
3. Permit to Enter upon Private Land.
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### Form

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Form No. 1  
 Western Australia  
*Mining Act 1978*  
 (Sec. 20 Reg. 3)

# MINER'S RIGHT

## MINER'S RIGHT

To whom Issued .....

By whom Issued .....

Place of Issue .....

Date of Issue .....

NOT TRANSFERABLE

## Issued to

.....  
 (Name in full)

under the provisions of the *Mining Act 1978*.

Place of Issue .....

Date of Issue .....

.....  
 Signature of Issuing Officer

(note reverse)

Reverse of form

### NOTE:

This miner's right is issued under section 20 of the *Mining Act 1978*. It is your responsibility to ascertain your rights and obligations under that section. Information in respect of those rights and obligations may be obtained from any office of the Department of Mines .

**APPLICATION FOR PERMIT UNDER  
SECTION 20A**

No.

To: The Mining Registrar/Customer Service  
Coordinator, Mineral Titles Division

(a) Full name,  
address,  
telephone  
number and  
Miner's Right  
number of  
applicant(s)  
(maximum of  
3 applicants)

<p>(a) Applicant 1 Name: ..... Address: ..... ..... Telephone No.: ..... Miner's Right No.: .....</p> <p>Applicant 2 Name: ..... Address: ..... ..... Telephone No.: ..... Miner's Right No.: .....</p> <p>Applicant 3 Name: ..... Address: ..... ..... Telephone No.: ..... Miner's Right No.: .....</p>
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(b) Number of  
relevant  
exploration  
licence

<p>(b) Exploration Licence No. ....</p>
---

(c) Area of Crown  
land in respect of  
which permit  
sought  
(maximum of  
10 blocks)

<p>(c)</p>
------------

(d) Full name and  
address of holder  
of relevant  
exploration  
licence

<p>(d)</p>
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**APPLICATION FOR PERMIT TO  
ENTER UPON PRIVATE LAND** No.

To: The Warden,

(a) Mineral Field (a) Mineral Field  
The undersigned hereby makes application for a permit to enter upon

(b) Set out particulars of the land, location or Lot numbers, etc. to be stated (b)

\* Map to be attached, as delineated on the \*attached map, for the purpose of

(c) State whether the application is for the purpose of searching for minerals or to mark out a mining tenement and the type of such tenement (c)

(d) Full name and address of applicant (d)

DATED this day of 20 .

(e) Signature of applicant (e) .....

O F F I C E  U S E		Received at .....	
		on .....	
		with fee of \$.....	
		.....	
		(Mining Registrar)	

**PERMIT TO ENTER UPON PRIVATE LAND**

**No.**

Pursuant to the provisions of the *Mining Act 1978*.

(a) Full name and address of permit holder

(a)

the holder of this permit or his duly authorised agent is hereby authorised to enter upon

(b) Set out particulars of the land

(b)

subject to —

(c) Conditions, if any

(c)

This permit EXPIRES on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ but if the holder of the permit marks out and applies for a mining tenement of any part of the land described in paragraph (b), the permit is deemed to continue in force for the purpose only of repairing or maintaining the marks so set up and the notices posted thereon, until such time as the application for the mining tenement is determined.

DATED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ .

.....Warden

.....Mineral Field

The holder of a permit under section 30 of the *Mining Act 1978*, or his duly authorised agent is authorised during the currency of the permit —

- (a) to enter upon and remain on the surface of the private land to which the permit relates;
- (b) to search thereon for any mineral and detach one or more samples of any vein or lode outcropping on the surface thereof not exceeding in the aggregate 13 kilograms and to take therefrom such other samples as may be agreed by the owner or, where the owner is not in occupation of the private land, the occupier of the private land; and
- (c) to remove from the private land such samples for the purpose of assaying or testing the value thereof, and to mark out a mining tenement with respect to that land or any part thereof,

but the holder or his duly authorised agent shall not carry out any other mining operations on or otherwise disturb the surface of the land.

The holder of a permit is liable to pay compensation for any loss or damage arising from any entry upon the land effected in pursuance of this permit.

**CLAIM FOR COMPENSATION AND CONSENT FOR AN  
 INFORMAL DETERMINATION BY THE WARDEN**

**No.**

(a) State whether pastoral lease, Crown grant or other designation (b) Number of lease lot, reserve etc. (c) Name of property (if applicable)	Details of land affected (a) _____ (b) _____  (c) _____
---	--

(d) Full name and address of owner of land (e) Full name and address of occupier (if applicable)	Owner and Occupier (d) _____ (e) _____
---	--

(f) Brief details of loss or damage claimed	(f) _____ _____ _____
---	-----------------------------

(g) Here state owner, or owner and occupier, or occupier (as applicable) WE, the undersigned, being the (g) of the land referred to above and (h) of (i) acknowledge that the claimant is entitled to compensation for loss or damages resulting from mining and that an agreement as to the amount of such compensation has not been reached. The parties herein therefore consent to a determination of the amount of compensation being made by the warden in accordance with section 123(3)(a)

(j) Signature of owner of land (k) Signature of occupier of land (l) Signature of person liable for compensation	(j) ..... (k) ..... (l) .....	Received at ..... .....on ..... ..... ..... (Mining Registrar)
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(NOTE: The owner or occupier of the land will be required to produce proof of ownership or right of occupancy of the land, either by producing the title, a recent title search, or the document/s under which his rights are confirmed.)



**PROSPECTING LICENCE**

**No.**

(a) Name and address  
of holder and  
number of shares

(a)

is/are subject to the provisions of the *Mining Act 1978* and to the conditions stated in the Schedule hereunder, authorised in accordance with section 48 of the Act to prospect the land the subject of this licence situated at

(b) Locality

(b)

in the

(c) Mineral Field

(c)

Mineral Field

containing approximately

(d) Area

(d)

hectares

for a term of 4 years commencing on the date of grant of the licence.

(e) Date Licence  
granted

(e)

(f) Shire

(f)

(g) Plan

(g)

.....  
Mining Registrar

**NOTE**

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted herein must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown land, Public Reserves, etc., private land and where the lawful rights of other land users are concerned.

For schedule of endorsements/conditions see reverse of form.

Reverse of form

Schedule of Endorsement/Conditions:

*Mining Act 1978*

(Secs. 51, 68, 70H, 82 and 115A)

(Regs. 16, 22, 23E, 32, 96B and 96C)

**OPERATIONS REPORT – EXPENDITURE ON MINING TENEMENT**

(To be completed in accordance with instructions on pages 3 and 4.)

<b>Annual:</b> <input style="width: 40px;" type="text"/>	<b>Final:</b> <input style="width: 40px;" type="text"/>
<b>Tenement Type:</b> <input style="width: 150px;" type="text"/>	<b>Number:</b> <input style="width: 40px;" type="text"/> / <input style="width: 40px;" type="text"/>
<b>Reporting Period:</b>	<b>From:</b> <input style="width: 40px;" type="text"/> / <input style="width: 40px;" type="text"/> / <input style="width: 40px;" type="text"/>
	<b>To:</b> <input style="width: 40px;" type="text"/> / <input style="width: 40px;" type="text"/> / <input style="width: 40px;" type="text"/>

Itemise activities and expenditure on Attachment 1

Evidence of lodgement to be provided

<b>MINERAL-EXPLORATION AND/OR MINING ACTIVITIES</b>		
<b>A.</b>	<b>MINERAL-EXPLORATION ACTIVITIES:</b>	\$ <input style="width: 80px;" type="text"/>
<b>B.</b>	<b>MINING ACTIVITIES:</b>	\$ <input style="width: 80px;" type="text"/>
<b>C.</b>	<b>ABORIGINAL HERITAGE SURVEYS:</b> <i>Copy to be lodged with the Registrar of Aboriginal Sites.</i>	\$ <input style="width: 80px;" type="text"/>
<b>D.</b>	<b>ANNUAL TENEMENT RENT AND RATES:</b>	\$ <input style="width: 80px;" type="text"/>
<b>E.</b>	<b>ADMINISTRATION/OVERHEADS:</b>	\$ <input style="width: 80px;" type="text"/>
<b>F.</b>	<b>(OTHER) LAND ACCESS/NATIVE TITLE COSTS:</b> <i>Jointly not to exceed 20% of the minimum commitment or expenditure on the activities shown above, whichever is the greater (see page 4 for instructions).</i>	\$ <input style="width: 80px;" type="text"/> \$ <input style="width: 80px;" type="text"/>
<b>TOTAL EXPENDITURE:</b>		\$ <input style="width: 80px;" type="text"/>
<b>N.B.</b> Full details and results of mineral-exploration activities must be submitted in the annual mineral-exploration report in accordance with section 115A of the Act and the guidelines published under regulation 96B.		

**OR**

Itemise activities and expenditure on Attachment 2

<b>PROSPECTING AND/OR SMALL SCALE MINING ACTIVITIES</b>	
<b>TOTAL EXPENDITURE:</b> (A to E ON ATTACHMENT 2)	\$ <input style="width: 80px;" type="text"/>

**A copy of this page of the Operations Report and Attachment 1 titled “Summary of Mineral-Exploration and/or Mining Activities” or Attachment 2 titled “Summary of Prospecting and/or Small Scale Mining Activities” may be obtained by any person on the payment of the prescribed fee in accordance with regulation 96(3).**

Full name and address of holder/s.

<b>NAME:</b> .....
<b>ADDRESS:</b> .....

Full name and address of operator/manager (if mining tenement under option or joint venture).

<b>NAME:</b> .....
<b>ADDRESS:</b> .....

List here details of the related annual mineral-exploration report.

<b>Mineral-Exploration report (for single tenement)</b>	
Title:	.....
<b>Combined Mineral-Exploration report (for group of two or more tenements)</b>	
Title:	.....
Combined reporting number for tenement group:	C / .....
Combined reporting date for group:	/ / .....

I certify that the information on pages 1 and 2 and in Attachment 1 "Summary of Mineral-Exploration and/or Mining Activities" or Attachment 2 "Summary of Prospecting and/or Small Scale Mining Activities" constitutes a true statement of the operations carried out and monies expended on this mining tenement during the reporting period specified.

Signature of holder or agent: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

(Tick appropriate box and show expenditure. If more than one commodity sought, tick appropriate boxes and allocate expenditure for each one).

MINERAL COMMODITY SOUGHT ON TENEMENT					
<input type="checkbox"/>	Gold	\$ .....	<input type="checkbox"/>	Diamond	\$ .....
<input type="checkbox"/>	Iron ore	\$ .....	<input type="checkbox"/>	Mineral Sands	\$ .....
<input type="checkbox"/>	Nickel/Cobalt	\$ .....	<input type="checkbox"/>	Other (specify)	\$ .....
<input type="checkbox"/>	Copper/Lead/ Zinc/Silver	\$ .....	.....	.....	.....

**This page is not to be copied in conjunction with regulation 96(3).**

**Note:**  
**ATTACHMENT 1 — SUMMARY OF MINERAL-EXPLORATION AND/OR MINING ACTIVITIES**      **OR**      **ATTACHMENT 2 — SUMMARY OF PROSPECTING AND/OR SMALL SCALE MINING ACTIVITIES**

(A) The attachments to the Form 5 are to provide a summary of the activities carried out and the cost of each activity. For Attachment 1 you may either use the pro-forma sheet or a separate sheet with the suggested headings as shown under 4(A) and (B) in the instructions. For Attachment 2 the pro-forma sheet available from the Department must be used.

(B) A copy of Attachment 1 or 2 will be provided together with a copy of the front page of the Form 5 to any person on payment of the prescribed fee.

<b>H</b>	<b>This operations report received</b>
<b>E</b>	
<b>A</b>	
<b>D</b>	
<b>O</b>	
<b>F</b>	
<b>F</b>	
<b>I</b>	
<b>C</b>	
<b>E</b>	
<b>U</b>	
<b>S</b>	
<b>E</b>	

**INSTRUCTIONS FOR THE COMPLETION OF FORM 5**

- The Form 5 "Operations Report" and mineral exploration report are required to be lodged annually for each mining tenement within sixty (60) days from the anniversary or surrender date of the mining tenement (or such further period as may be approved by the Minister prior to the expiry of that period).  
 These reports should be lodged with —  
 The Director General, Department of Minerals and Energy, 100 Plain Street, East Perth, WA 6004.  
**N.B.** A mineral exploration report is not required if the general prospecting activities detailed in Attachment 2 are the only activities carried out.
- The Form 5 and attachments must show expenditure incurred on the activities undertaken during the annual period of the mining tenement or the period up to surrender and may be varied according to the type of activities undertaken —
  - for mineral-exploration and/or mining activities (see 3 below); and/or
  - for general prospecting and/or small scale mining activities (see 4 below).

3. For mineral-exploration and/or mining activities, the format of the Form 5 consists of the two pages (as shown on this form) plus Attachment 1 to provide details of the cost and description for each activity (see A and B below for examples of the activities to be shown). The full cost of Aboriginal heritage surveys is allowed (see C below). Administration/overheads/land access/native title costs are not to exceed 20% of the minimum expenditure commitment, or the total of expenditure incurred on activities, whichever is the greater (see D and E below for the costs that can be claimed). Full details and results of mineral-exploration activities are required to be submitted in a mineral-exploration report (see 6 to 8 below).
4. For all other general prospecting activities (i.e. non-geoscientific activities such as metal-detecting, loaming, panning, dollying, dry-blowing, trenching, plant and equipment hire, own labour costs) the format of the Form 5 consists of the two pages (as shown on this form) plus Attachment 2 to provide details of prospecting and/or small scale mining activities.

**A. MINERAL EXPLORATION ACTIVITIES**

**Geological activities:** geological mapping, sampling, drilling supervision, core logging, non-core drill-sample logging, geological data processing and interpretation, petrology, planning of exploration programs, report preparation; where appropriate, general prospecting can be added here.

**Geochemical activities:** geochemical sampling, analysis of surface geochemical samples or subsurface drilling samples, geochemical data processing and interpretation. ALSO show number of samples collected.

**Geophysical activities (surface/subsurface):** ground geophysical surveys, downhole logging, geophysical data processing and interpretation.

**Airborne geophysical activities:** aerial survey costs, geophysical data processing and interpretation.

**Remote sensing activities:** aerial photography, remote sensing images, photo interpretation, image processing and interpretation.

**Mineralogical activities (exploration for diamonds, heavy mineral sands, etc.):** bulk sampling, mineral separation, mineralogy and analysis of diamond indicator minerals or other minerals.

**Surveying activities:** gridding, line clearing, grid tie-in, tenement boundaries, etc.

**Core drilling:** diamond drilling costs (including pre-collar open-hole non-core drilling), access road and drill-site preparation; ALSO show metres drilled and number of holes completed.

**Non-core drilling:** drilling costs, access road preparation; ALSO show metres drilled and number of holes completed. Costs for deep geochemical sampling by auger or air-core drilling can also be shown here. (N.B. Specify drilling for groundwater supply.)

**Costeaming:** plant and equipment hire for trenching and bulk sampling.

**Field supplies:** exploration equipment, consumables and supplies, plant and equipment hire, fuel, oil, etc., depreciation of direct exploration equipment, wages for non-professional field personnel.

**Drafting activities:** drafting equipment, consumables and supplies, salaries for drafting personnel.

**Travel:** travel costs directly associated with mineral exploration activities conducted on the tenement.

**Field camp activities:** establishment and maintenance of exploration base camps, food and accommodation, vehicle costs, contractor helicopter support.

**Environmental:** environmental studies.

**Feasibility study activities:**

**Rehabilitation activities:**

**B. MINING ACTIVITIES (DEVELOPMENT AND PRODUCTION)**

Mine planning, open-cut mining, underground mining, shaft sinking, decline construction, underground drilling, pre-blast bench drilling, ore treatment, construction and maintenance of ore stockpiles, waste dumps, tailings dams and dumps, etc. ALSO show tonnes mined or treated. Any costs associated with care and maintenance on an idle mining operation can also be shown here.

**C. ABORIGINAL HERITAGE SURVEYS**

A copy of any survey undertaken to be lodged with the Registrar, Aboriginal Sites, Aboriginal Affairs Department as soon as practicable, where the cost of conducting it is claimed for expenditure purposes. Evidence of lodgement of the survey must be provided to the Department of Minerals and Energy.

**D. ANNUAL TENEMENT RENT AND RATES**

Rental and local government rates, paid in connection with the mining tenement each year.

**E. ADMINISTRATION AND OVERHEADS**

All non-field activities such as head office costs, accounting, mining tenement management, administration, research, literature studies, training, etc.

**F. LAND ACCESS/NATIVE TITLE**

All other native title and land access costs including private land access costs but excluding payments for compensation.

**N.B.** The amount allowed under E and F not to exceed 20% of the minimum expenditure commitment or the total expenditure incurred on activities, whichever is the greater.

**NON-ALLOWABLE EXPENDITURE**

5. This includes the following —
- (a) cost of marking-out of mining tenements;
  - (b) acquisition costs of tenements and associated expenses;
  - (c) research activities not directly related to a specific tenement; and
  - (d) compensation payments.

**MINERAL EXPLORATION REPORTS**

6. The date for lodging a combined mineral-exploration report, on a group of two or more mining tenements, can be varied to a common reporting date, if prior written approval has been obtained from the Director of the Geological Survey in accordance with **section 115A(4)** of the Act and the **guidelines**.
7. The format and contents of all mineral-exploration reports must be to the satisfaction of the Minister in accordance with the **guidelines**.
8. All data in mineral-exploration reports will be kept confidential by the Department and may be available for release in accordance with regulation 96.

**COPYRIGHT**

9. Each mineral-exploration report must show that written authorisation has been provided by the tenement holder(s), or any other person who is the owner of copyright for any data contained in the report, to allow the Minister to release all information in the report in accordance with regulation 96.

**EXEMPTION FROM EXPENDITURE CONDITIONS**

10. A tenement holder or an authorised agent can apply for an exemption from expenditure on a mining tenement in accordance with section 102 of the Act. Such application should be lodged with the Mining Registrar.

**SUMMARY OF MINERAL EXPLORATION AND/OR  
MINING ACTIVITIES**

(Complete in accordance with instructions on pages 3 and 4.)

<b>Tenement Type:</b>	<input style="width: 90%;" type="text"/>	<b>Number:</b>	<input style="width: 90%;" type="text"/>
<b>Reporting Period:</b>	<b>From:</b>	<b>To:</b>	
	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>	

<b><u>A. Mineral-Exploration Activities</u></b>	
<b><u>B. Mining Activities (Development and Production)</u></b>	
<b><u>C. Aboriginal Heritage Surveys</u></b>	
<b><u>D. Annual Tenement Rent and Rates</u></b>	
<b><u>E. Administration and Overheads</u></b>	
<b><u>F. Land Access/Native Title</u></b>	

Itemise as appropriate.  
Use a separate sheet if necessary.

<b>TOTAL EXPENDITURE</b>	<b>\$</b> <input style="width: 90%;" type="text"/>
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A copy of this page can be obtained by any person on the payment of the prescribed fee in accordance with regulation 96(3).

**SUMMARY OF PROSPECTING AND/OR SMALL SCALE MINING ACTIVITIES**

(Complete in accordance with instructions on pages 3 and 4)

Tenement Type:	<input type="text"/>	Tenement No:	<input type="text"/>		
Reporting Period: From:	<input type="text"/>	To:	<input type="text"/>		
<b>A. General Prospecting Activities</b>					
<b>Metal Detecting:</b>					
No. of days worked	<input type="text"/>	at \$	<input type="text"/>	\$	<input type="text"/>
<b>Loaming, panning, sampling, dollying, dry-blowing:</b>					
No. of days worked	<input type="text"/>	at \$	<input type="text"/>	\$	<input type="text"/>
<b>Costeaning/trenching:</b>					
No. excavated	<input type="text"/>	No. of days	<input type="text"/>	\$	<input type="text"/>
<b>Other activities (specify):</b>					
<input type="text"/>	No. of days worked	<input type="text"/>	at \$	<input type="text"/>	\$ <input type="text"/>
<input type="text"/>	No. of days worked	<input type="text"/>	at \$	<input type="text"/>	\$ <input type="text"/>
<input type="text"/>	No. of days worked	<input type="text"/>	at \$	<input type="text"/>	\$ <input type="text"/>
<b>Plant and equipment hire:</b>					
				\$	<input type="text"/>
<b>Fuel, oils, etc.:</b>					
				\$	<input type="text"/>
<b>Field supplies (food consumables, etc.):</b>					
				\$	<input type="text"/>
<b>SUBTOTAL (A)</b>					\$ <input type="text"/>

AND/OR

<b>B. Small Scale Mining Activities</b>					
<b>Construction:</b>					
No. of days worked	<input type="text"/>	at \$	<input type="text"/>	\$	<input type="text"/>
<b>Development:</b>					
No. of days worked	<input type="text"/>	at \$	<input type="text"/>	\$	<input type="text"/>
<b>Construction materials:</b>					
				\$	<input type="text"/>
<b>Plant and equipment hire:</b>					
				\$	<input type="text"/>
<b>Fuel, oils, etc.:</b>					
				\$	<input type="text"/>
<b>Field supplies (food consumables, etc.):</b>					
				\$	<input type="text"/>
<b>Tonnes of ore/rock/dirt mined or treated:</b>					
<input type="text"/>					\$ <input type="text"/>
<b>SUBTOTAL (B)</b>					\$ <input type="text"/>

<b>Aboriginal Heritage Surveys:</b>	<b>SUBTOTAL (C)</b>	\$ <input type="text"/>
<small>(a copy must be lodged with the Registrar of Aboriginal Sites)</small>		

<b>Annual Tenement Rent and Rates:</b>	<b>SUBTOTAL (D)</b>	\$ <input type="text"/>
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<b>Administration/Overheads/Native Title:</b>	<b>SUBTOTAL (E)</b>	\$ <input type="text"/>
<small>(not to exceed 20% of the minimum expenditure commitment or total expenditure on the activities shown at subheadings (A) &amp; (B), whichever is greater)</small>		

<b>TOTAL EXPENDITURE (add SUBTOTALS A to E)</b>	\$ <input type="text"/>
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A copy of this page can be obtained by any person on the payment of the prescribed fee in accordance with regulation 96(3).

## EXPLORATION LICENCE

- |   |     | <b>No.</b>  |
|---|-----|---|
| (a) Name and address of holder and number of shares | (a) | is/are authorised in accordance with section 66 of the Act to explore the land the subject of this licence situated at        |
| (b) Locality  | (b) | in the  |
| (c) Mineral Field                                   | (c) | Mineral Field   |
| (d) Number of Blocks                                | (d) | containing  |
|   | (d) | as described in the First Schedule  |
|   |     | for a term of 5 years commencing on the date of grant of the licence.   |
| (e) Date Licence granted                            | (e) |   |
| (f) Shire   | (f) | subject to the provisions of the <i>Mining Act 1978</i> and to the conditions/endorsements as set out in the Second Schedule. |

.....  
Mining Registrar

### NOTE

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted herein must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown land, Public Reserves, etc., private land and where the lawful rights of other land users is concerned.

For Schedules see attached.



**RETENTION LICENCE**

- |   | <b>No.</b>   |
|---|--|
| (a) Name and address of holder and number of shares | (a) is/are, authorised in accordance with section 70J of the <i>Mining Act 1978</i> to further explore the land which is the subject of this licence situated at |
| (b) Locality  | (b) in the   |
| (c) Mineral Field                                   | (c) Mineral Field  |
| (d) Area  | (d) containing approximately hectares  |
| (e) Date Licence Granted                            | (e) for a term of years commencing on the date of the grant of the licence.  |
| (f) Shire   | (f)  |

subject to the provisions of the *Mining Act 1978* and the conditions/endorsements as set out on the reverse of this Form.

.....  
Mining Registrar

**NOTE**

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted by this Licence must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown Land, Public Reserves, private land, etc., and where the lawful rights of other land users is concerned or affected.

\_\_\_\_\_  
(Reverse of Form)

**Schedule of Endorsements/Conditions/Description of  
Granted Area**

**MINING LEASE No.**

The Minister a corporation sole established by the *Mining Act 1978* in consideration of the rents hereinafter reserved and of the covenants on the part of the Lessee described in the First Schedule to this lease and of the conditions hereinafter contained and pursuant to the *Mining Act 1978* hereby leases to the Lessee the land more particularly delineated and described in the Second Schedule to this lease subject however to the exceptions and reservations if any set out in the Third Schedule to this lease and to any other exceptions and reservations which are by the *Mining Act 1978* and by any Act for the time being in force deemed to be contained herein to hold to the Lessee in the shares set out in the First Schedule to this lease for a term of 21 years commencing on the date set out in the Fourth Schedule to this lease upon and subject to such of the provisions of the *Mining Act 1978* as are applicable to mining leases granted thereunder and to the covenants and conditions hereinafter contained or implied herein the Lessee paying therefor the rents and royalties for the time being and from time to time respectively prescribed pursuant to the provisions of the *Mining Act 1978* at the times and in the manner so prescribed.

AND it is hereby agreed and declared that unless the Lessee shall at all times duly and punctually perform and observe the covenants and conditions hereinafter contained or implied herein this lease shall be liable to forfeiture and may be forfeited by the Minister pursuant to the powers in that behalf conferred by the *Mining Act 1978* provided that the Minister may as he thinks fit impose on the Lessee a penalty not exceeding \$1 000 as an alternative to forfeiture of this lease. The covenants and conditions hereinbefore referred to are that the Lessee shall —

1. pay the rents and royalties due under this lease at the prescribed time and in the prescribed manner
2. use the land in respect of which this lease is granted only for mining purposes in accordance with the *Mining Act 1978*
3. comply with the prescribed expenditure conditions applicable to such land unless partial or total exemption therefrom is granted in such manner as is prescribed
4. not assign, underlet or part with possession of such land or any part thereof without the prior written consent of the Minister, or of an officer of the Department acting with the authority of the Minister
5. lodge with the Department at Perth such periodical reports and returns as may be prescribed
6. promptly report in writing to the Minister details of all minerals of economic significance discovered in, on or under the land the subject of this lease
7. duly and punctually observe and perform all other provisions of the *Mining Act 1978* and of any other Act for the time being in force applicable or relating to the Lessee or this lease or the land the subject of this lease
8. if any mineral is specified in the Fifth Schedule to this lease, be authorised by this lease to mine on or under or both and remove from the land the subject of this lease only the mineral so specified
9. duly and punctually perform and observe the further conditions or stipulations if any set out in the Sixth Schedule to this lease as well as any condition which may hereafter be imposed by the Minister pursuant to section 84 of the *Mining Act 1978*
10. cause all holes, pits, trenches and other disturbances to the surface of the land and subject of this lease made whilst mining and which in the opinion of the State Mining Engineer are likely to endanger the safety of any person or animal to be filled in or otherwise made safe to the satisfaction of the State Mining Engineer.

In this lease: “Lessee” includes the executors administrators and permitted assigns of the Lessee or if the Lessee be more than one of the respective executors administrators and permitted assigns of each Lessee or in the case of a Lessee which is a corporation the successors and permitted assigns of that Lessee.

If the Lessee be more than one the liability of the Lessee hereunder shall be joint and several.

Reference to an Act includes all amendments to that Act and to any Act passed in substitution therefor or in lieu thereof and to the regulations and by-laws for the time being in force thereunder.

**FIRST SCHEDULE**

(The name address and description of the Lessee and the shares in which the lease is held.)

**SECOND SCHEDULE**

(Description of Land:)

Locality:

Mineral Field:

Area, etc.:

Being the land delineated on Survey Diagram No. \_\_\_\_\_ and

recorded in the Department of Mines <sup>4</sup>, Perth.

**THIRD SCHEDULE**

All petroleum as defined in the *Petroleum Act 1967* on or below the surface of the land the subject of this lease is reserved to the Crown in right of the State of Western Australia with the right of the Crown in right of the State of Western Australia and any person lawfully claiming thereunder or otherwise authorised to do so to have access to the land the subject of this lease for the purpose of searching for and for the operations of obtaining petroleum (as so defined) in any part of the land.

**FOURTH SCHEDULE**

Date of Commencement of the lease.

**FIFTH SCHEDULE**

If applicable minerals to be specified.

**SIXTH SCHEDULE**

Any further endorsements/conditions or stipulations.

**NOTE**

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted herein must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown Land, Public Reserves, etc., private land and where the lawful rights of other land users are concerned.

IN witness whereof the Minister has affixed his seal  
and set his hand hereto

this ..... day of .....20.....

MINISTER



**GENERAL PURPOSE LEASE** No.

The Minister a corporation sole established by the *Mining Act 1978* in consideration of the rents hereinafter reserved and of the covenants on the part of the Lessee described in the First Schedule to this lease and of the conditions hereinafter contained and pursuant to the *Mining Act 1978* hereby leases to the Lessee for the purpose set out in the Second Schedule to this lease the land more particularly delineated and described in the Third Schedule to this lease subject however to the exceptions and reservations if any set out in the Fourth Schedule to this lease and to any other exceptions and reservations which are by the *Mining Act 1978* and by any Act for the time being in force deemed to be contained herein to hold to the Lessee in the shares set out in the First Schedule to this lease for a term specified in the Fifth Schedule to this lease and commencing on the date set out in the Sixth Schedule to this lease upon and subject to such of the provisions of the *Mining Act 1978* as are applicable to general purpose leases granted thereunder and to the covenants and conditions hereinafter contained or implied herein the Lessee paying therefor the rents and royalties for the time being and from time to time respectively prescribed pursuant to the provisions of the *Mining Act 1978* at the times and in the manner so prescribed.

AND it is hereby agreed and declared that unless the Lessee shall at all times duly and punctually perform and observe the covenants and conditions hereinafter contained or implied herein this lease shall be liable to forfeiture and may be forfeited by the Minister pursuant to the powers in that behalf conferred by the *Mining Act 1978*. The covenants and conditions hereinbefore referred to are that the Lessee shall —

1. pay the rents due under this lease at the prescribed time and in the prescribed manner
2. use the land in respect of which this lease is granted solely for the purpose set out in the Second Schedule to this lease
3. not assign, underlet or part with possession of such land or any part thereof without the prior written consent of the Minister, or of an officer of the Department acting with the authority of the Minister
4. lodge with the Department at Perth such periodical reports as are approved by the Director General of Mines as being required in respect of a general purpose lease
5. promptly report in writing to the Minister details of all minerals of economic significance discovered in, on or under the land the subject of this lease
6. duly and punctually observe and perform all other provisions of the *Mining Act 1978* and of any other Act for the time being in force applicable or relating to the Lessee or this lease or the land the subject of this lease
7. duly and punctually perform and observe the further conditions or stipulations if any set out in the Seventh Schedule to this lease as well as any condition which may hereafter be imposed by the Minister pursuant to section 84 of the *Mining Act 1978*.

In this lease: "Lessee" includes the executors administrators and permitted assigns of the Lessee or if the Lessee be more than one the respective executors administrators and permitted assigns of each Lessee or in the case of a Lessee which is a corporation the successors and permitted assigns of that Lessee.

If the Lessee be more than one the liability of the Lessee hereunder shall be joint and several.

Reference to an Act includes all amendments to that Act and to any Act passed in substitution therefor or in lieu thereof and to the regulations and by-laws for the time being in force thereunder.

**FIRST SCHEDULE**

(The name address and description of the Lessee and the shares in which the lease is held.)

**SECOND SCHEDULE**

(Here set out such of the purposes referred to in section 87(1) of the *Mining Act 1978* as this lease is to be granted for.)

**THIRD SCHEDULE**

(Description of Land:)

Locality:

Mineral Field:

Area, etc.:

Being the land delineated on Survey Diagram No. \_\_\_\_\_ and  
recorded in the Department of Mines <sup>4</sup>, Perth.

**FOURTH SCHEDULE**

All petroleum as defined in the *Petroleum Act 1967* on or below the surface of the land the subject of this lease is reserved to the Crown in right of the State of Western Australia with the right of the Crown in right of the State of Western Australia and any person lawfully claiming thereunder or otherwise authorised to do so to have access to the land the subject of this lease for the purpose of searching for and for the operations of obtaining petroleum (as so defined) in any part of the land.

**FIFTH SCHEDULE**

The term of the lease is

**SIXTH SCHEDULE**

Date of commencement of the lease.

**SIXTH SCHEDULE**

Any further endorsements/conditions or stipulations

**NOTE**

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted herein must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown Land, Public Reserves, etc., private land and where the lawful rights of other land users are concerned.

IN witness whereof the Minister has affixed his seal and set his  
hand hereto this ..... day of .....20.....

MINISTER

**MISCELLANEOUS LICENCE**

No.

- |   |     |  |
|---|-----|--|
| (a) Name and address of holder and number of shares | (a) | is/are subject to the provisions of the <i>Mining Act 1978</i> and to the conditions stated in the Schedule hereunder, authorised in accordance with section 94 of the Act to: |
| (b) Purpose of Licence                              | (b) | situated at  |
| (c) Locality  | (c) | in the   |
| (d) Mineral Field                                   | (d) | Mineral Field and  |
| (e) Area  | (e) | containing approximately hectares  |
| (f) Date Licence granted                            | (f) | for a term of 5 years commencing on the date of grant of the licence   |
| (g) Shire   | (g) |  |
| (h) Plan  | (h) |  |

.....  
Mining Registrar

**NOTE**

In addition to any specific conditions that are endorsed on this instrument, the holder in exercising the rights granted herein must first ensure that the necessary consents and permission have been obtained and compensation has been agreed to or determined in respect to certain Crown Land, Public Reserves etc., private land and where the lawful rights of other land users are concerned.

For Schedule of Endorsements/Conditions see reverse of form.

Reverse of form

Schedule of Endorsements/Conditions:

**SURRENDER**

- (a) Type
- (b) Number
- (c) Mineral Field

<b>Details of Mining Tenement</b>	
(a)	(b)
(c)	

- (d) Full name and address of each holder

<b>Holder</b>
(d)

\*If the surrender is a conditional one, add "conditionally on application for being granted"

THE HOLDER of the abovementioned mining tenement hereby applies to surrender all right title and interest therein.\*  
 DATED this            day of            20

- (e) Signature of holder
- (f) Signature of witness

<b>Holders sign here</b>	in the presence of	<b>Witnesses sign here</b>
(e) .....	(f)	.....
.....		.....
.....		.....
.....		.....

- LODGING PARTY**
- (g) Full name and address (for return of documents)

(g)
-----

O F F I C E  U S E		Received at .....m.  on .....  ..... (Mining Registrar)	
---	--	--	--



**NOTICE OF RE-MARKING**

(to be fixed to Datum Post of retained portion)

<p>(a) Type</p> <p>(b) Number</p> <p>(c) Mineral Field</p>	<p><b>Details of Mining Tenement</b></p> <p>(a) _____ (b) _____</p> <p>(c) _____</p>
--	--

<p>(d) Full name and address of holder</p>	<p><b>Holder</b></p> <p>(d) _____</p>
--	---------------------------------------

The abovementioned mining tenement has been re-marked for the purpose of a surrender of part of the tenement under the provisions of the *Mining Act 1978*. The following is a description of the retained portion —

<p>(e) Describe boundaries of retained portion</p>	<p><b>Portion Retained</b></p> <p>(e) _____</p>
<p>(f) Area of retained portion</p>	<p>(f) _____</p>

<p>(g) Date and time of re-marking</p>	<p>(g) _____</p>
<p>(h) Signature of holder</p>	<p>(h) .....</p>

**PARTIAL SURRENDER\***

\*If applicable, add whether the surrender is under section 26A or section 65

(This form must be accompanied by a map clearly delineating the portion of the tenement being —  
 (i) surrendered; and (ii) retained.)

- (a) Type
- (b) Number
- (c) Mineral Field

Details of Mining Tenement	
(a)	(b)
(c)	

- (d) Full name and address of each holder

Holder
(d)

\*\*If the surrender is a conditional one, add “conditionally on application for ..... being granted”

THE HOLDER of the abovementioned mining tenement hereby applies to surrender all right, title and interest in that portion described hereunder.\*\*

- (e) Describe the boundaries of the portion being surrendered

PORTION BEING SURRENDERED	
(e)	
Area***	

\*\*\* In ha/km<sup>2</sup> or number of blocks

DATED this                      day of                      20

- (f) Signature of holder
- (g) Signature of witness

Holders sign here	in the presence of	Witnesses sign here
(f) .....	(g) .....	.....
.....		.....
.....		.....

**LODGING PARTY**

- (h) Full name and address (for return of documents)

(h)
-----

O F F I C E  U S E		Received at ..... on ..... with fee of \$ ..... ..... (Mining Registrar)	
---	--	--	--



**OBJECTION** No.

To: The Warden

(a) Mineral Field (a) Mineral Field

The undersigned objects to

(b) Insert particulars of the matter objected to and mining tenement affected

(b)

for the following reasons —

(c) Set out grounds for objection

(c)

And pending the hearing of this objection, require you to

(d) “Withhold your recommendation” OR as the case may be

(d)

(e) Full name and address of objector

(e)

DATED this            day of            20

(f) Signature of objector or agent (f) .....

O F F I C E  U S E	This objection will be heard in the Warden’s Court at            at	
	the hour of            .m. on the            day of            20	
	Received at ..... m.	
	on .....	
	..... (Mining Registrar)	

**APPLICATION FOR RESTORATION**

No.

(a) Type (b) Number (c) Mineral Field	Details of Mining Tenement (a) _____ (b) _____ (c) _____
---	--

(d) Full name and address of each applicant	Applicant (d) _____
---	------------------------

Application made for the restoration of the abovementioned mining tenement which was forfeited for the following reason —

(e) Reason for forfeiture	(e) _____
(f) Date of forfeiture	on the (f) _____ This application is made on the following grounds —
(g)	(g) DATED this _____ day of _____ 20.....
(h) Signature of applicant	(h) _____

O F F I C E  U S E	A NOTICE OF OBJECTION to this application may be lodged at the office of the mining registrar at _____ on or before the _____ day of _____ 20..... and the hearing will take place on the _____ day of _____ 20.....	
	Received at _____m on _____ with fee of \$.....together with the outstanding rent of..... for the period ending ..... _____ (Mining Registrar)	Receipt No. .....

Office Use
No.

**APPLICATION FOR EXEMPTION**

(a) Type (b) Number (c) Mineral Field	Details of mining tenement/s (a) _____ (b) _____ (c) _____
---	---

(d) Full name and address of each holder	Holder (d) _____
--	---------------------

--

(e) Amount of expenditure for which exemption is sought

(f) Expiry date/s of period to which exemption relates

(g) Reasons for application (include relevant paragraph/s of section 102(2) of the *Mining Act 1978* if applicable)

Exemption details (for each tenement affected)

(e) \$

(f)

(g)

APPLICATION is made for exemption for the period specified from the expenditure conditions applicable to the abovementioned mining tenement/s.

DATED this                      day of                      20

(h) Signature of holder or authorised agent

(h) .....



(d) Expiry date/s of (d)  
year/s to which  
exemption relates

DATED this            day of            20

..... Mining Registrar

..... Mineral Field



**NOTICE OF MARKING OUT**

(To be fixed to Datum Post to complete marking out)

NOTICE IS given that

(a) Full names and address of applicant (a)

has marked out this land under the provisions of the *Mining Act 1978* as a

(b) Type of tenement (b)

and the following is a description of the boundaries thereof —

(c) Description of boundaries (c)

(d) Approximate area (d)  
(ha/km<sup>2</sup>)

Marking out was completed by fixing this notice at

(e) Time and date marking out completed (e) .m. on the day of 20 .

(f) Signature of applicant or agent (f) .....



## NOTES

**Note 1:** EXPLORATION LICENCE

- (i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
- (ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

**Note 2:** PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE

This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

**Note 3:** GROUND AVAILABILITY

- (i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
- (ii) The following action should be taken to ascertain ground availability:
  - (a) public plan search; (b) register search; (c) ground inspection.

**Note 4:** ALL APPLICATIONS OVER PRIVATE LAND

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.





**WITHDRAWAL**

(a) Type (b) Number (c) Mineral Field	<b>Details of Mining Tenement application</b> (a) _____ (b) _____ (c) _____
---	---

(d) Full name and address of each applicant	<b>Applicant</b> (d) _____ _____ _____
---	---

THE APPLICANT hereby applies to WITHDRAW the abovementioned application.

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

(e) Signature of applicant (f) Signature of witness	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"><b>Applicants sign here</b></td> <td style="width: 33%; text-align: center;">in the presence of</td> <td style="width: 33%;"><b>Witnesses sign here</b></td> </tr> <tr> <td>(e) .....</td> <td style="text-align: center;">(f) .....</td> <td>.....</td> </tr> <tr> <td>.....</td> <td></td> <td>.....</td> </tr> <tr> <td>.....</td> <td></td> <td>.....</td> </tr> <tr> <td>.....</td> <td></td> <td>.....</td> </tr> <tr> <td>.....</td> <td></td> <td>.....</td> </tr> </table>	<b>Applicants sign here</b>	in the presence of	<b>Witnesses sign here</b>	(e) .....	(f) .....	.....	.....		.....	.....		.....	.....		.....	.....		.....
<b>Applicants sign here</b>	in the presence of	<b>Witnesses sign here</b>																	
(e) .....	(f) .....	.....																	
.....		.....																	
.....		.....																	
.....		.....																	
.....		.....																	

<b>LODGING PARTY</b> (g) Full name and address (for return of documents)	(g) _____ _____ _____
---	-----------------------------

O F F I C E  U S E		Received at .....m.  on .....  ..... (Mining Registrar)	
---	--	--	--

(Regs. 75, 81, 84 & 134)

**TRANSFER** No.

INTEREST BEING  
TRANSFERRED

- (a) Type of tenement
- (b) Number
- (c) Mineral Field
- (d) Number of shares

Details of Mining Tenement and Interest	
(a)	(b)
(c)	(d)

TRANSFEROR

- (e) Full name and address

(e)
-----

CONSIDERATION

- (f) In words — see Note 1

(f)
-----

TRANSFeree

- (g) Full name and address

(g)
-----

- (h) Mortgage number and Mortgagee or "NIL"  
(See note 2)

(h)
-----

THE TRANSFEROR for the consideration expressed HEREBY TRANSFERS TO THE TRANSFeree the interest specified in the abovementioned mining tenement, and the TRANSFeree accepts the said interest subject to any mortgage shown hereon and to all the terms and conditions under which it is now held.  
DATED this            day of            20            .

- (i) Signature of transferor
- (j) Signature of transferee
- (k) Signature of witness

<p>TRANSFERORS sign here</p> <p>Signed (i) in the presence of (k)</p> <p>Signed (i) in the presence of (k)</p> <p>Signed (i) in the presence of (k)</p>	<p>TRANSFereES sign here</p> <p>Signed (j) in the presence of (k)</p> <p>Signed (j) in the presence of (k)</p> <p>Signed (j) in the presence of (k)</p>
---	---

- LODGING PARTY
- (l) Full name and address (for return of documents)

(l)
-----

O F F I C E  U S E		Received at .....m. on ..... with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

- Notes:
1. Where the stamp duty shown on the transfer is not in respect of the full amount of the consideration stated then the documents indicating the full stamp duty must accompany the transfer.
  2. If a mortgage is registered with the Department of Mines <sup>4</sup> and will continue after the transfer, insert the required details.  
 If no mortgage, or a mortgage is to be discharged prior to or on the transfer, insert "nil".  
 The consent of the mortgagee to the transfer must be lodged with this Form.



**CAVEAT** No.

- (a) Type
- (b) Number
- (c) Mineral Field

<b>Details of Mining Tenement</b>	
(a)	(b)
(c)	

- (d) Specify "the whole" or the number of shares being caveated
- (e) Full name of holder of shares being caveated

<b>Interest being caveated</b>	
(d)	
(e)	

- (f) Full name and address of caveator

<b>Caveator</b>
(f)

THE CAVEATOR claims an interest as specified in the abovementioned mining tenement BY VIRTUE OF

- (g) Specify the grounds on which the claim is made See Note 1

(g)

and whilst this caveat remains in force FORBIDS the registration of any transfer or other instrument affecting such tenement or interest and appoints

(h)

- (h) Address within the State for service of notices

as the place at which notices and proceedings relating to this caveat may be served

DATED this                    day of                    20

- (i) Signature of caveator
- (j) Signature of witness

<b>Caveator or agent signs here</b>	<b>Witness signs here</b>
Signed (i) .....	in the presence of (j) .....

**LODGING PARTY**

- (k) Full name and address (for return of documents)

(k)
-----

O F F I C E  U S E		Received at .....m. on ..... with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

Note 1: If the caveat is lodged pursuant to section 122(2) of the Act the term of the caveat must be stated and a copy of the agreement attached.

**WITHDRAWAL OF CAVEAT** No.(s)

(a) Full name & Address of Caveator	Caveator  (a)
(b) Specify caveat(s) to be withdrawn and mining tenement(s) affected	Caveat Number(s) and mining tenement(s) affected  (b)
THE CAVEATOR HEREBY WITHDRAWS the abovementioned caveat(s) against the interest in the mining tenement(s) described above DATED this                    day of                    20	
(c) Signature of caveator	Caveator or agent signs here    Witness signs here
(d) Signature of witness	Signed (c) ..... in the presence of (d).....
(e) LODGING PARTY Full name and address (for return of documents)	(e)

O F F I C E  U S E		Received at .....m. on .....  with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

STAMP DUTY

**MORTGAGE** No.

DETAILS OF TENEMENTS  
BEING MORTGAGED.  
State Type, Number and Mineral  
field

INTEREST BEING  
MORTGAGED.  
State whether the whole of the  
shares in the above tenement or  
some lesser interest

ENCUMBRANCES.  
Insert details of any encumbrances  
registered against the mining  
tenement. If none insert 'NIL'

MORTGAGOR.  
Full name and address

MORTGAGEE.  
Full name and address

Principal Sum secured (in words)  
How and when Principal Sum is to  
be repaid  
Rate of interest to be paid  
How interest is payable

In consideration of the above principal sum owing by the Mortgagor to the  
Mortgagee,  
THE MORTGAGOR —

FIRSTLY, for the purpose of securing the payment in the manner aforesaid of the  
principal sum and interest MORTGAGES to the MORTGAGEE the interest herein  
specified in the abovementioned mining tenements subject however to the  
encumbrances as shown hereon.

SECONDLY, covenants with the Mortgagee as follows:

1. That the Mortgagor will pay to the Mortgagee the said principal sum in the  
manner, and at the times above set forth.
2. That the Mortgagor will in the meantime pay interest on the said principal sum  
at the rate, in the manner, and at the times above set forth.
3. \*

\*Here set forth any further  
covenants

DATED this                      day of                      20

- (a) Signature of Mortgagor/s
- (b) Signature of witness

**MORTGAGOR/S sign here**

Signed (a)  
in the presence of (b)

Signed (a)  
in the presence of (b)

- LODGING PARTY
- (c) Full name and address (for  
return of documents)

(c)

--	--	--	--

O F F I C E  U S E		Received at .....m. on ..... with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

**DISCHARGE OF MORTGAGE** No.

(a) Full name and address of mortgagee

(a)

being the mortgagee mentioned in a mortgage dated

(b) Date of Mortgage

(b)

numbered

(c) Number of Mortgage

(c)

and registered against

(d) State particulars of mining tenements the subject of the mortgage and interest therein

(d)

do hereby certify and acknowledge that the whole of the debt or liability secured by the said mortgage has been fully paid or discharged.

DATED this            day of            20

Signed

(e) Signature of Mortgagee

(e).....

in the presence of

(f) Signature of witness

(f).....

O F F I C E  U S E		Received at .....m. on ..... with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

**PARTIAL DISCHARGE OF MORTGAGE** No.

(a) Full name and Address of Mortgagee

Mortgagee (a)
------------------

(b) Date of Mortgage

(c) Number of Mortgage

Mortgage details (b) (c)
--------------------------------

(d) Specify mining tenement(s) and state either "the whole" or number of share mortgage is discharged from (See Note 1)

Details of mining tenement(s) and shares against which Mortgage discharged (d)
---

(e) Full name of holder(s) of shares mortgage is discharged against

(e)
-----

THE MORTGAGEE HEREBY DISCHARGES the interest in the mining tenement(s) described above from the abovementioned Mortgage without releasing the mortgagor from any liability under that Mortgage

DATED this        day of        20

(f) Signature and/or company seal of (a) the above

(g) Signature(s) of independent witness

SIGNATURE(S) (f) ..... ..... .....  COMPANY SEAL _____	WITNESS(ES) TO SIGNATURE(S) (g) ..... ..... .....
--	--

**LODGING PARTY**

(h) Full name and address (for return of documents)

(h)
-----



O F F I C E  U S E		Received at .....m.  on .....  with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

NOTE 1: If Mortgage is to be totally discharged use Form 26.

Form 27

WESTERN AUSTRALIA  
*Mining Act 1978*  
[Reg. 85A(1)]

**QUARTERLY MINERAL (EXCLUDING GOLD) PRODUCTION REPORT**

(Please Note! A separate report is required for each mining tenement.  
Complete and furnish to Director General of Mines within 30 days of expiry of relevant quarter.)

Report for .....  
(*insert relevant quarter, eg. March quarter, and year*)  
Mining Tenement No.....  
Holder.....  
Mineral Field.....  
District.....Project.....

Material Mined			Mineral Produced/Sold		
Mineral Mined Primary Description (e.g. Clay)	Mineral Type Description (e.g. Kaolin)	Quantity (tonnes)	Quantity (tonnes)	Sales Value (A\$)	End Use or Uses of Mineral (where known)

I certify that the information supplied in this report is a true statement of all production for the period stated.

Dated.....  
Signed.....  
(Holder/Applicant)

**QUARTERLY GOLD PRODUCTION REPORT**

(Please Note! Separate report required for each gold royalty project. Complete and furnish to Director General of Mines within 30 days of expiry of relevant quarter.)

Report for .....  
 (insert relevant quarter, eg. March quarter, and year)  
 Mining Tenement(s) No(s) .....  
 Holder .....  
 Mineral Field .....  
 District ..... Project .....

<b>MATERIAL TREATED</b>	<b>Tonnes</b>
Ore	
Sands	
Slimes	
Tailings	
Concentrates	
Other	

<b>METAL PRODUCED*</b>	<b>Ounces</b>
Gold Metal	
Silver Metal (By-product)	

(\* Include metal that is to be regarded because of regulation 86AA as having been produced.)

I certify that the information supplied in this report is a true statement of all production for the period stated.

Dated .....

Signed .....  
 (Holder/Applicant)

**DEVOLUTION** No.

	Details of Mining Tenement application (or application therefor) and interest
(a) Type	(a) _____ (b) _____
(b) Number	
(c) Mineral Field	(c) _____ (d) _____
(d) Number of shares	

(e) Document from which title derived	(e) _____
---------------------------------------	-----------

(f) Full name and address of applicant	(f) _____
--	-----------

\*Copy of document to be attached hereby applies to be registered as the holder of the above mentioned interest and \*attached hereto is a copy of the document referred to in (e) above

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20

(g) Signature of applicant	(g) .....
----------------------------	-----------

LODGING PARTY (h) Full name and address (for return of documents)	(h) _____
--	-----------

O F F I C E  U S E		Received at .....m.  on .....  with fee of \$.....  ..... (Mining Registrar)	
---	--	---	--

**APPLICATION FOR COPY  
DOCUMENT**

No.

- (a) Full name I, (a)
- (b) Address of (b)

declare pursuant to section 106 of the *Evidence Act 1906* that the document specified cannot be produced for the reasons indicated, and I request that a copy document be issued in lieu

- (c) Description of document

<p><b>Details of Document</b></p> <p>(c)</p>
--

- (d) State whether document lost/destroyed, etc. as the case may be and the circumstances

<p><b>Reason for non-production</b></p> <p>(d)</p>
--

- (e) Signature of declarant Signed (e).....  
DECLARED before me at.....  
this ..... day of ..... 20 .....
- (f) Signature of witness (f)  
See Note 1.

O F F I C E  U S E		Received at .....m. on ..... with fee of \$..... ..... (Mining Registrar)	
---	--	---	--

NOTE 1: This declaration may be made before a Commissioner of Declarations, Justice of the Peace, Mining Registrar or other authorised person.

**APPLICATION TO AMEND** No. \_\_\_\_\_

<b>Details of Mining Tenement application therefor</b>	
(a) Type	(b) _____
(b) Number	(c) _____
(c) Mineral Field	

<b>Holder/Applicant</b>
(d) Full name and address

The abovementioned HOLDER/APPLICANT hereby applies to amend the register at the Department of Mines<sup>4</sup>

FROM

(e) Present particulars shown in register	(e) _____
---	-----------

TO

(f) Amended particulars	(f) _____
-------------------------	-----------

DATED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

(g) Signature of holder/applicant	(g) .....
-----------------------------------	-----------

O F F I C E		Received at .....m.	
		on .....	
U S E		..... (Mining Registrar)	

**POWER OF ATTORNEY** No.

(a) Full name and address of donor

I, (a)

DO HEREBY APPOINT

(b) Full name and address of donee

(b)

(hereinafter referred to as the donee) as my attorney to apply for and acquire on my behalf any mining tenement under the *Mining Act 1978* and to sell all or any mining tenements, mortgages or charges whether now belonging to me or which shall hereafter belong to me under or by virtue of the said Act. Also to mortgage or sublet all or any such mining tenements for any sum at any rate of interest or rental. Also to withdraw or surrender any mining tenement in which I am or may be interested. Also to exercise and execute all powers which now are or shall hereafter be vested in or conferred upon me as a sub-lessor or mortgagee of mining tenements under the said Act.

\*or otherwise according to the nature and extent of the powers intended to be conferred

\*

And for me and in my name to sign all such applications, notices, transfers, mortgages, sub-leases, and other instruments, and do all such acts matters and things as may be necessary or expedient for carrying out the powers hereby given, and for recovering all sums of money that are now or may become due or owing to me, and for enforcing or varying any contract, covenant, or condition binding upon any lessee, tenant, or occupier or upon any other person in respect of the said lands and for recovering and maintaining possession of the said lands, and for protecting them from waste, damage, or trespass.

And I agree that all and whatsoever the said donee shall lawfully do under this power I will at all times ratify and confirm.





**SECURITY**

By this security the subscriber is for himself, his executors and administrators or in the case of a subscriber being a corporation for its successors and assigns pursuant to the *Mining Act 1978* bound to the Minister in the State of Western Australia in the sum of

(a) Amount of security (a)

(b) Full name and residential or business address (see Note 1) of applicant or holder (b)  
 subject only to this condition that, if

(c) Insert details of type number and Mineral Field for the mining tenement or application therefor (c)  
 shall comply with the conditions to which

is, or will from time to time be subject, and with the provisions of the *Mining Act 1978* and regulations thereunder then this security shall be thereby discharged.

DATED at this day of 20

(d) Signature of applicant/holder (e) Signature of witness	<table style="width: 100%; border: none;"> <tr> <td style="width: 45%; border: none;"><b>Applicant or Holder signs here</b></td> <td style="width: 10%; border: none;">in the presence of</td> <td style="width: 45%; border: none;"><b>Witness signs here</b></td> </tr> <tr> <td style="border: none;">(d)</td> <td style="border: none;"></td> <td style="border: none;">(e)</td> </tr> </table>	<b>Applicant or Holder signs here</b>	in the presence of	<b>Witness signs here</b>	(d)		(e)
<b>Applicant or Holder signs here</b>	in the presence of	<b>Witness signs here</b>					
(d)		(e)					

O F F I C		Received at .....m. on the ..... day of ..... 20 .....	
-----------------------	--	--	--

E U S E		..... (Mining Registrar)	
------------------	--	-----------------------------	--

Note 1: A Post Office Box address is not an acceptable residential or business address. A Post Office Box address may be included in addition to the residential or business address.

**PLAINT** No.

In the Warden's Court at

(a) Name and address of Plaintiff	<b>Plaintiff</b> (a)
-----------------------------------	-------------------------

V

(b) Name and address of defendant	<b>Defendant</b> (b)
-----------------------------------	-------------------------

(c) Nature of the claim (c) The Plaintiff claims that —

(d) Nature of relief sought (d) and asks —

(e) Signature of Plaintiff DATED this                      day of                      20

(e) Signature of Plaintiff (e).....

O F F I C E U S E	Received at .....m. on ...../...../..... with fees as stated.	<u>Fees Paid</u> Plaint (inc. Summons and Subpoena) Service Affidavit Kilometrage Copies Attendance	\$	c
	(Mining Registrar)	Total		
	<div style="border: 1px solid black; padding: 5px; display: inline-block;">                     SEAL OF COURT                 </div>			

**SUMMONS**

Plaint  
No. .... / .....

In the Warden's Court at

**TO:**

(a) Full name and address of Defendant

(a)

YOU are hereby summoned to appear before the Warden's Court

(b) Place of hearing

(b)

(c) Time and date of hearing

at (c) .m. on the day of 20

to answer the claim of the plaintiff

(d) Full name of Plaintiff

(d)

as follows —

(e) Nature of claim as stated in Plaintiff

(e)

(f) Nature of relief sought

(f)

You may apply for the issue of a subpoena compelling the attendance of any witnesses, and production of any books, plans, documents, etc.

If you intend to dispute the plaintiff's claim you must file a notice of defence in accordance with regulation 126

DATED at

this day of 20 .

SEAL  
OF  
COURT

.....Mining Registrar  
.....Mineral Field

**ENDORSEMENT**

This is the paper writing marked "A" referred to in the annexed affidavit of

sworn before me at , this

day of 20 .

.....

**AFFIDAVIT OF SERVICE**

In the Warden’s Court at

Plaint  
No..... / .....

(a) Full name and address  
**Plaintiff**  
(a)

V

(b) Full name and address  
**Defendant**  
(b)

(c) Full name and address (c) I,

make oath and say that I did on the            day of  
20            , duly serve a copy of the summons (which is marked “A”  
and annexed hereto) as follows —

Full name of person on  
whom service effected            :

Manner of service            :

Address where service  
effected            :

Sworn before me at  
this            day of            20   .

.....  
(Commissioner for taking affidavits in the Supreme  
Court/Warden/Mining Registrar/Justice of the Peace).

**NOTICE OF DEFENCE**

In the Warden's Court at

Plaint  
No...../.....

(a) Full name and address **Plaintiff**  
(a)

V

(b) Full name and address **Defendant**  
(b)

(c) Grounds of defence TAKE NOTICE that I intend to defend the plaintiff's claim in this action on the following grounds —  
(c)

+Delete if not applicable (see Note 1)

+and the defendant claims

(d) Signature of defendant

DATED at this day of 20 .  
(d) .....

O F F I C E  U S E		Received at .....m. on ..... with fee of \$..... ..... (Mining Registrar)	
---	--	---	--

NOTE 1: If the defendant claims a set off or asks for cross relief, particulars of the relief sought should be stated.

**SUBPOENA FOR WITNESS**

In the Warden's Court at

Plaint  
No..... / .....

(a) Full name and address **Plaintiff**  
(a)

V

(b) Full name and address **Defendant**  
(b)

**TO:**

You are hereby required to attend before this Court at

(c) Place of hearing (c) \_\_\_\_\_ at \_\_\_\_\_  
(d) Time and date of hearing (d) \_\_\_\_\_ m on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ .  
and at every adjournment thereof to give evidence on behalf of

(e) Plaintiff/Defendant (e) \_\_\_\_\_  
and to produce to the Court

(f) State the particular things required to be produced (f) \_\_\_\_\_

If you neglect to comply with this summons you will be liable to a fine not exceeding \$100 or to arrest.

SEAL  
OF  
WARDEN'S  
COURT

Dated at \_\_\_\_\_ this  
day of \_\_\_\_\_ 20 \_\_\_\_ .  
Conduct Money \$ \_\_\_\_\_

..... Mining Register  
..... Mineral Field

Received \$ \_\_\_\_\_ Conduct money

.....  
Signature

**ENDORSEMENT**

This is the paper writing marked "A" referred to in the annexed affidavit of  
sworn before me at  
this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_ .  
.....

**JUDGMENT/ORDER OF WARDEN'S COURT**

In the Warden's Court at

Plaint  
No..... / .....

(a) Full name and address

**Plaintiff**  
(a)

V

(b) Full name and address

**Defendant**  
(b)

THE Court adjudges that —

(c) Insert decision

(c)

AND the Court orders —

(d) Set forth the order in full

(d)

DATED at

this                    day of                    20 .

SEAL  
OF  
WARDEN'S  
COURT

.....Warden/Mining Registrar



**WARRANT OF EXECUTION**

In the Warden's Court at

Plaint  
No..... / .....

(a) Full name and address

**Plaintiff**  
(a)

V

(b) Full name and address

**Defendant**  
(b)

**TO:** The Bailiff

WHEREAS on the                      DAY of                      20

\*Delete whichever not applicable

\* the plaintiff obtained a judgment of this Court against the defendant for debt (or damages) and costs in the sum of                      or

\*it was ordered by the Court that judgment should be entered for the defendant, or that judgment of nonsuit should be entered and the costs be paid by the plaintiff to the defendant                      in the sum of                      and whereas default has been made in the payment thereof.

†Defendant or Plaintiff

These are, therefore, to require and order you FORTHWITH TO LEVY BY DISTRESS AND SALE OF THE GOODS against any property of the †                      wheresoever it may be found, the sum of                      in addition to the costs of this execution, and also to seize and take any money, or bank notes or securities for money of the †                      or such part or so much thereof as may be sufficient to satisfy this execution and the costs of making and executing the same and forthwith to return the same to me, to be paid over to the †                      together with this warrant.

SEAL  
OF THE  
COURT

DATED at                      this                      day of                      20

By the Court

.....Mining Registrar  
.....Mineral Field

Judgment	\$
Costs	\$
Execution	\$
Other	\$ _____
Total amount to be levied	\$ _____

Application was made for this warrant at ..... m.  
on .....

Returned this Warrant to the above Warden's Court on the  
day of 20

with the sum of \_\_\_\_\_ in satisfaction thereof.

.....BAILIFF



WESTERN AUSTRALIA  
*Mining Act 1978*  
(Reg. 132)

**NOTICE OF SEIZURE**

In the Court at  
Plaint No. Warrant No.  
Between  
Plaintiff  
and  
Defendant

**TO:** The MINING REGISTRAR, at  
TAKE NOTICE that under and by virtue of  
, dated the day of  
20, issued out of the Court  
at (copy attached)  
I have this day seized all the right,  
title and interest (if any) in and to the shares specified in the  
undermentioned mining tenement —

<b>Details of Mining Tenement</b>	
(a)	(b)
(c)	
(d)	

- (a) Type
- (b) Number
- (c) Mineral Field
- (d) Number of Shares

You will therefore communicate with me before registering any transfer, or other dealing with the shares specified while this seizure remains in force.

DATED at  
this day of 20  
..... Bailiff

O F F I C E  U S E		Received at .....m. on ..... with fee of \$ .....  ..... (Mining Registrar)	
---	--	--	--

**NOTICE OF APPEAL UNDER SECTION 147**

(a) Full Name and address of appellant

<p><b>Appellant</b></p> <p>(a)</p>
------------------------------------

V

(b) Full name and address of respondent

<p><b>Respondent</b></p> <p>(b)</p>
-------------------------------------

To the Warden

.....Mineral Field

and

to the Respondent

Notice is given of an appeal against the final judgment/  
determination/decision of the Warden's Court at

on the                      day of                      , 20

in respect to —

on the grounds that —

The sum of \$150.00 is deposited as security for or towards the  
costs of this appeal.

Signed .....

Signature of Appellant or his Solicitor

O F F I C E  U S E		Received at .....m. on ..... with the sum of \$150.00 Receipt No. ....  ..... (Mining Registrar)	
---	--	--	--

**INJUNCTION** No.

UPON the application of

and whereas sufficient notice has been given to the parties interested and after hearing the evidence, I HEREBY ORDER THAT:

and his servants, workmen and agents, be restrained from —

\* Terms of injunction granted

until the                      day of                      20

DATED this                      day of                      20

Seal  
of the  
Warden's  
Court

..... Warden

..... Mineral Field

\_\_\_\_\_

**REPORT OF APPROVED SURVEYOR**

(To be lodged for each tenement surveyed)

TENEMENT TYPE	TENEMENT NUMBER	HOLDER/APPLICANT	DATE OF MARKING	FIELD BOOK NUMBER

- |   | YES                      | NO*                      |
|---|--------------------------|--------------------------|
| 1. I have surveyed the tenement boundaries in accordance with the regulations.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The boundaries surveyed are in accordance with the Holder's/Applicant's/Agent's markings.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The Holder/Applicant/Agent attended the site and is satisfied with the positions of the surveyed boundaries.                                   | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. The adjoining tenement Holder(s)/ Applicant(s)/Agent(s) attended the site and is (are) satisfied with the position of the surveyed boundaries. | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Adjoining land tenures have been located as instructed.  | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Positions of any buildings, workings, shafts, roads and other significant features, where practical, have been located.                        | <input type="checkbox"/> | <input type="checkbox"/> |

\*For any "NO" response above, a written report is required.

..... APPROVED SURVEYOR.

NOTE: Any additional information relating to the conduct of this survey should be presented in a written report.

...../...../20.....

*[First Schedule amended in Gazette 12 Nov 1982 p. 4491 (erratum in Gazette 19 Nov 1982 p. 4578); 30 May 1986 p. 1841; 20 Jun 1986 p. 2084; 2 Oct 1987 p. 3821-36 (erratum in Gazette 6 Nov 1987 p. 4110); 20 May 1988 p. 1707; 31 May 1991 p. 2700-7; 5 Jul 1991 p. 3359; 31 Jul 1992 p. 3777-80; 24 Dec 1993 p. 6829-30; 24 Jun 1994 p. 2939-42; 13 Oct 1995 p. 4823; 4 Apr 1997 p. 1780-1; 3 Oct 1997 p. 5533-5; 11 Jun 1999 p. 2546-52; 2 Feb 2001 p. 710-11; 13 Dec 2002 p. 5805-6; 17 Jan 2003 p. 107-9 and 114.]*



## Second Schedule

### Schedule of Fees and Rents

		\$
1.	Annual Rent of —	
	Existing exploration licence per square kilometre or part thereof .....	37.73
	Graticular exploration licence —	
	(a) one block licence applied for after 1 July 1999 .....	238.81
	(b) all other licences (per block) .....	99.00
	General purpose lease per hectare or part thereof .....	11.55
	Lease granted under the <i>Mining Act 1904</i> <sup>5</sup> , either pursuant to or continued in force by virtue of an agreement scheduled to, incorporated in, or appearing in an Act or a variation of such an agreement, per hectare or part thereof .....	13.09
	Mining lease per hectare or part thereof .....	13.09
	Miscellaneous licence per hectare or part thereof —	
	(a) for the purpose referred to in regulation 42B(ia) .....	0.33
	(b) for any other purpose .....	11.55
	Prospecting licence per hectare or part thereof (minimum \$18.70) .....	1.87
	Retention licence per hectare or part thereof .....	5.72
2.	Application fee for —	
	Exploration Licence —	
	(a) one block .....	217.50
	(b) more than one block .....	930.00
	General Purpose Lease .....	315.00
	Mining Lease .....	315.00
	Miscellaneous Licence .....	315.00
	Permit under section 20A .....	Reg. 4D(2) 25.00
	Prospecting Licence .....	212.50
	Retention Licence .....	530.00
3.	Copy of —	
	Mining Tenement Register (per tenement) .....	Reg. 106 6.30
	Dealing affecting tenement (per dealing) .....	Reg. 106 6.30
3A.	Certification of a document .....	Reg. 109 5.30
4.	Exemption from expenditure conditions —	
	(a) one year exemption for —	
	(i) prospecting licence .....	Reg. 54 265.00
	(ii) exploration licence .....	Reg. 54 305.00
	(iii) mining lease .....	Reg. 54 360.00
	(b) 5 year exemption for mining lease .....	Reg. 54 1 800.00
5.	Issue of —	
	Duplicate instrument of lease .....	Sec. 83 26.50
	Miner's Right .....	Sec. 20 25.00
[6.	<i>deleted]</i>	
7.	Partial Surrender of a Mining Tenement .....	Reg. 45 80.00
8.	Permit to Enter Private Land —	
	application for (per Lot or Location affected —	
	Minimum \$21.00) .....	Reg. 5 5.30
9.	Private Land — application to bring under the Act .....	Reg. 8 17.00
10.	Registration of dealings (per tenement affected where applicable) —	
	Agreement .....	Reg. 110 80.00
	Application for copy document .....	Reg. 105 80.00
	Caveat .....	Sec. 121 80.00
	Devolution .....	Reg. 102 80.00
	Discharge/Withdrawal of any encumbrance .....	Regs. 76A, 83, 110 5.30

		\$
	Injunction .....	Reg. 109 80.00
	Judgment/Order of Court .....	Reg. 110 80.00
	Mortgage .....	Reg. 77 80.00
	Power of Attorney — each .....	Reg. 108 80.00
	Seizure — Notice of .....	Reg. 132 80.00
	Sub-lease of Mining Tenement .....	Reg. 110 80.00
	Transfer —	
	Mining Tenement .....	Reg. 75 80.00
	Mortgage .....	Reg. 84 80.00
11.	Restoration of Mining Tenement .....	Reg. 51 160.00
11A.	Copy of front page of Form 5, together with either Attachment 1 — “ <u>Summary of Mineral Exploration/Mining Activities</u> ” or Attachment 2 — “ <u>Summary of Prospecting and/or Small Scale Mining Activities</u> ”, as the case may be .....	Reg. 96(3) 6.30
[12.	<i>deleted</i>	
13.	Warden’s Court Fees —	
	(i) For entering a plaint, excluding service fee, but including the issue of summons for each defendant and all necessary witness subpoenas .....	46.50
	(ii) Defence, including notice of defence and all necessary witness subpoenas .....	30.00
	(iii) All necessary applications and affidavits .....	5.00
	(iv) Order made by warden including an order for an injunction .....	10.00
	(v) Issue or renewal of a warrant of execution .....	30.00
	(vi) Copy of —	
	(a) evidence — per page .....	6.50
	(b) a judgment, decision or order — per page .....	1.00
	(vii) Taxation of bill of costs .....	\$0.05 in each amount of \$1.00 on amount of filed bill (minimum fee \$10.00) — provided that where the filed bill exceeds \$1 000 the fee is reduced to \$0.025 in each \$1.00 for the excess, plus \$50.00

*[Second Schedule inserted in Gazette 20 Jun 1986 p. 2084-6; amended in Gazette 26 Jun 1987 p. 2527-8; 2 Oct 1987 p. 3836-7; 3 Mar 1989 p. 688-9; 21 Jul 1989 p. 2249-50; 20 Apr 1990 p. 2000; 22 Jun 1990 p. 3073-5; 31 May 1991 p. 2707; 5 Jul 1991 p. 3357-8; 8 Nov 1991 p. 5741-2; 31 Jul 1992 p. 3780; 30 Jul 1993 p. 4157; 19 Nov 1993 p. 6274-5; 24 Dec 1993 p. 6830; 10 Jun 1994 p. 2411; 24 Jun 1994 p. 2943; 30 Jun 1995 p. 2660; 19 Apr 1996 p. 1573; 4 Apr 1997 p. 1781; 12 Jun 1998 p. 3184; 11 Jun 1999 p. 2552; 21 Jan 2000 p. 345; 16 Jun 2000 p. 2951-2; 2 Feb 2001 p. 711 and 714; 3 Aug 2001 p. 3971; 28 Jun 2002 p. 3088-9; 17 Jan 2003 p. 109; 20 Jun 2003 p. 2241-3; 25 Jun 2004 p. 2244-5.]*

# Third Schedule — Transitional provisions relating to Geocentric Datum of Australia

[r. 89A]

## 1. Interpretation

(1) In this Schedule —

“**Australian Geodetic Datum**” means the datum described in clause 2;

“**block**” means a block as described in section 56C;

“**commencement day**” means the day on which section 5 of the *Acts Amendment (Australian Datum) Act 2000* comes into operation;

“**existing exploration licence**” means an exploration licence referred to in clause 3(1) or (3);

“**number**”, in relation to a block, has the same meaning as it has in section 56C(4);

“**prescribed land**” means all of an area of land that, as a result of the operation of section 9B in relation to the Geocentric Datum of Australia referred to in regulation 89A —

- (a) immediately before the commencement day, was on the western and southern boundaries, but not within, a block or blocks; and
- (b) on the commencement day, is in the block or blocks identified by reference to the same number or numbers by reference to which the block or blocks referred to in paragraph (a) was or were identified.

(2) The note and diagram after clause 8 are provided to assist understanding and do not form part of this Schedule.

## 2. Australian Geodetic Datum

(1) For the purposes of this Schedule, the Australian Geodetic Datum is defined by an ellipsoid having a semi-major axis (equatorial radius) of 6 378 160 m and a flattening of 1/298.25 and fixed by the position of the origin being the Johnston Geodetic Station in the Northern Territory of Australia.

(2) The Johnston Geodetic Station is taken to be situated at —

- (a) 25° 56' 54.5515" south latitude and 133° 12' 30.0771" east longitude; or
- (b) where decimal reckoning is used, 25° 56.90919' south latitude and 133° 12.50129' east longitude,

and to have a ground level elevation of 571.2 m above the ellipsoid referred to in subclause (1).

### **3. Exploration licences**

- (1) For the purposes of the Act or these regulations, the position on the surface of the Earth of the land that is the subject of an exploration licence in force before the commencement day is to be determined by reference to the Australian Geodetic Datum.
- (2) For the purposes of the Act or these regulations, the position on the surface of the Earth of the land that is the subject of an application for an exploration licence lodged before the commencement day and pending immediately before that day is to be determined by reference to the Australian Geodetic Datum.
- (3) For the purposes of the Act or these regulations, the position on the surface of the Earth of the land that is the subject of an exploration licence granted on or after the commencement day in respect of an application referred to in subclause (2) is to be determined by reference to the Australian Geodetic Datum.

### **4. Land surrendered or forfeited etc.**

- (1) If after the commencement day —
  - (a) land becomes available from an existing exploration licence; and
  - (b) any portion of that land is in a block in respect of which an exploration licence has been granted in respect of an application lodged on or after the commencement day,

the exploration licence referred to in paragraph (b) is to be amended, by force of this subclause, to include the land that has become available from the existing exploration licence.

- (2) If after the commencement day —
  - (a) land becomes available from an existing exploration licence; and
  - (b) any portion of that land is in a block in respect of which an application for an exploration licence is lodged on or after the commencement day,

the application referred to in paragraph (b) is taken to extend to the land that has become available from the existing exploration licence and, if an exploration licence is granted in respect of that application, that land is to be included in the exploration licence.

- (3) Subclauses (1) and (2) do not apply if —
  - (a) the land that becomes available from an existing exploration licence has been included in an application under section 67 or 70B; and
  - (b) a mining lease, general purpose lease or retention licence has been granted in respect of the application.

- (4) Subclause (2) does not apply if the land that becomes available from an existing exploration licence is in a block identified by reference to the same number as a block in respect of which an application referred to in subclause (2)(b) has been lodged.
- (5) A reference in this clause to land becoming available from an existing exploration licence is a reference to the land that is the subject of the licence being surrendered under section 65 or to the surrender, forfeiture (otherwise than under section 98) or expiry of the licence.

**5. Land exempted under section 19**

For the purposes of the Act or these regulations, the position on the surface of the Earth of land that is the subject of an exemption given by an instrument in force under section 19 and made before the commencement day is to be determined by reference to the Australian Geodetic Datum.

**6. Areas declared under section 57(4), and savings**

- (1) For the purposes of the Act or these regulations, the position on the surface of the Earth of land that is the subject of a declaration in force under section 57(4) and made before the commencement day is to be determined by reference to the Geocentric Datum of Australia.
- (2) Subclause (1) does not affect the validity of —
  - (a) an existing exploration licence; or
  - (b) an application for an exploration licence lodged before the commencement day and pending immediately before that day.

**7. Certain prospecting licences and mining leases may be amalgamated with existing exploration licences**

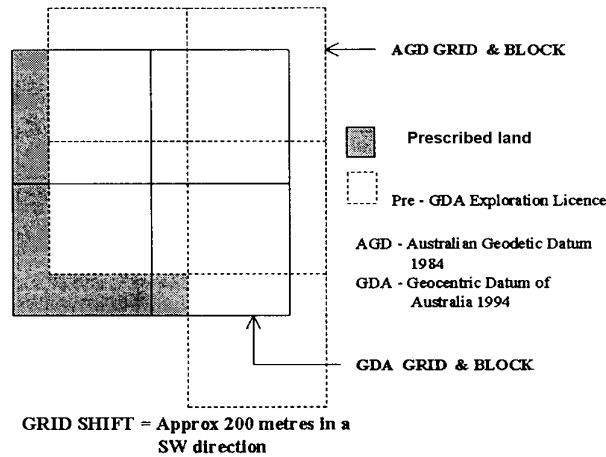
- (1) If a person is the holder of both an existing exploration licence and another tenement, the person or an agent of the person may, without marking out the land, apply in writing to the Minister in the manner prescribed for the purposes of section 67A(1) for the other tenement, or part of the other tenement, to be amalgamated with the exploration licence.
- (2) Another tenement, or part of another tenement, cannot be amalgamated with an exploration licence under this clause unless the land that is the subject of the other tenement, or of that part of the other tenement, is —
  - (a) wholly within the same block or same blocks within which the land that is the subject of the exploration licence is situated; and
  - (b) contiguous with the land referred to in paragraph (a).
- (3) Subject to subclause (2), section 67A(4) and (5) apply to an application under subclause (1) as if —

- (a) the application had been made under section 67A(1); and
  - (b) a reference in section 67A(4) or (5) to “secondary tenement” were a reference to, as the case requires, the “other tenement” or “part of the other tenement” mentioned in subclause (1).
- (4) This clause does not affect the operation of section 67A.
- (5) In this clause —
- “another tenement” or “other tenement”** means a prospecting licence or mining lease applied for and granted after the commencement day in respect of prescribed land.

**8. Prescribed land does not need to be marked out**

Despite section 105, if an application for a prospecting licence or mining lease is made on or after the commencement day in respect of prescribed land only, that land does not need to have been marked out.

Note: The following diagram shows an example of prescribed land referred to in this Schedule.



*[Third Schedule inserted in Gazette 15 Dec 2000 p. 7220-4.]*