

# Application to register the transfer or partial transfer of an authority

Form AD4, *Mining Act 1992*



Regional  
NSW

## Lodgement information

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

Mining, Exploration and Geoscience

### Resource Operations

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

[resource.operations@planning.nsw.gov.au](mailto:resource.operations@planning.nsw.gov.au)

## Note

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

## How to submit this form

- **By email:** Send an electronic copy of the form including any attachments and proof of payment to [resource.operations@planning.nsw.gov.au](mailto:resource.operations@planning.nsw.gov.au)
- **By mail:** Mail your form, any attachments and proof of payment to Mining, Exploration and Geoscience, Resource Operations, PO Box 344, Hunter Region Mail Centre NSW 2310
- **In person:** Submit your application in person at the Department office, 516 High Street, Maitland, New South Wales. Office hours are 8.30am to 4.30pm

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The information contained in this publication is based on knowledge and understanding at the time of writing (July 2020). However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Regional NSW or the user's independent adviser.

### Privacy statement

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

This information may also be used by the Department to 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access and correct any information the Department holds if that information is inaccurate, incomplete, not relevant or out of date.

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## When to use this form

Complete this form if you are applying to register the transfer or partial transfer of an authority in New South Wales. This includes exploration licences, assessment leases, mining leases, exploration (mineral owner) licences, assessment (mineral owner) leases and mining (mineral owner) leases. Either the transferor or the transferee can lodge this application.

This form has been prepared for the purposes of [s122](#) of the *Mining Act 1992*.

This form can be used by companies or individuals.

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

## Important notes

### Accompanying documentation

[Section 122](#) of the *Mining Act 1992* contains the requirements relating to the Registration of a Transfer.

A transfer is to be registered **within three months** of being notified of the approval. The application to register the transfer will not be receipted unless:

- the relevant transfer has been approved;
- no caveats have been lodged that prevent registration;
- evidence that the required security deposit from the transferee is in place; and
- in the case of mineral owner authorities, the mineral/s is owned by the transferee.

The transfer will not take effect and the transferor will remain liable for any rent and levy until the transfer is registered.

### Agents

If this application is lodged by an agent on behalf of the applicant/s, the Department may seek confirmation of the authority under which the agent operates and any limits of that authority. The agent will need to complete the declaration at the end of this form and supply evidence of their appointment, if not already supplied to the Department ([cl97](#) of the Mining Regulation 2016).

### How to submit this form

Refer to the cover page for details.

### Next steps

The transfer registration only takes effect once this application is receipted (see [s122\(3\)](#) of the *Mining Act 1992*).

Receipting will occur when the application is fully submitted. The Secretary for the Department (or delegate) will then register the transfer.

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## 1 Authority details

Type	Number	Act

## 2 Current authority holder/s details

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

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

### Additional lease holders

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

Additional details

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## 3 Transferee details

Provide the full name, registered street address and if applicable, the ACN or ARBN (for foreign companies) of the transferee/s. The registered street and postal address will be retained by the Department for administrative purposes.

1 <sup>st</sup> Transferee details	
Name	<input type="checkbox"/> This is an individual and is at least 18 years old.
Contact phone	
Contact email	
ACN / ARBN	
Street address (Registered street address for a company)	
Postal address	<input type="checkbox"/> Same as above

  

2 <sup>nd</sup> Transferee details	
Name	<input type="checkbox"/> This is an individual and is at least 18 years old.
Contact phone	
Contact email	
ACN / ARBN	
Street address (Registered street address for a company)	
Postal address	<input type="checkbox"/> Same as above

  

3 <sup>rd</sup> Transferee details	
Name	<input type="checkbox"/> This is an individual and is at least 18 years old.
Contact phone	
Contact email	
ACN / ARBN	
Street address (Registered street address for a company)	
Postal address	<input type="checkbox"/> Same as above

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## Additional transferees

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

### Additional details

## 4 Contact for this application

### 4.1 Holder (transferor) contact details

Any correspondence in relation to this application will be sent to this person.

#### Details

Contact name	
Position held	
Company	
Postal address	
Phone (incl area code)	
Mobile	
Email	

### Your preferred contact method

- Email (for companies – provide a company email address which is regularly monitored rather than an individual employee's email address)
- Mail (including DX)

### 4.2 Transferee contact details

Any correspondence in relation to this application will be sent to this person.

#### Details

Contact name	
Position held	
Company	
Postal address	
Phone (incl area code)	
Mobile	
Email	

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## Your preferred contact method

- Email (for companies - provide a company email address which is regularly monitored rather than an individual employee's email address)
- Mail (including DX)

## 5 Mineral owner authority/s

Is the authority/s to be transferred a mineral owner authority?

- No – **continue to Question 6**
- Yes – **go to Question 5.1**

### 5.1 Evidence of ownership of minerals

Evidence that the transferee/s is the owner of the mineral/s to which the authority/s to be transferred relate must be provided prior to registration. This may have been provided with the application for approval of the transfer or the transfer approval may have been conditional upon this being provided. For the purposes of confirming a transferee's ownership of any mineral, the Secretary may require the applicant to provide further information, which may include written advice from an Australian legal practitioner certifying that the relevant evidence establishes that the transferee owns the mineral.

- I provided evidence of mineral ownership with the application for approval
- I have attached evidence of mineral ownership

## 6 Security deposit

Provide the required security deposit in an approved form. For more information about the approved form, refer to [s261D](#) of the *Mining Act 1992* and the letter that accompanied the transfer approval.

**Total security deposit lodged**

\$

Check one of the boxes below to indicate how the security deposit is being provided.

- I have provided/I am providing with this application form a new security deposit as a security certificate\*
- I have provided/I am providing with this application form a new security deposit in cash or by direct deposit\*
- The transferor has authorised the cash security to remain with the authority (refer to Question 12 on the [AD2 transfer approval application](#) or Question 11 on the [AD3 transfer approval application](#))

\*If selected the new security deposit must be included with or prior to this application. If the security deposit was lodged prior to this application, evidence of the security deposit must be included with this application.

## 7 Checklist of items to be included with this application

Item		Reference
Evidence of transferee is the owner of the minerals (if applicable)	<input type="checkbox"/>	Question 5
Security deposit – evidence that a security deposit has been provided	<input type="checkbox"/>	Question 6
For agents only – evidence of appointment as agent, if this has not been previously supplied to the Department	<input type="checkbox"/>	Question 8

### 7.1 Have you lodged all the required information with this form?

- Yes
- No – I will provide outstanding information within 10 business days of lodging this application

## 8 Declaration

This form should be signed by either the transferor, transferee or their respective authorised representative or agent.

### 8.1 Applicant/s (individual or company) – transferor or transferee

For each applicant (signed below):

I certify that the information provided is true and correct to the best of my knowledge and belief. I understand under the *Crimes Act 1900 NSW* Part 5A, that knowingly or recklessly giving false or misleading information is a serious offence, and under the *Mining Act 1992* section 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.

(For companies only) In addition to the declaration above, by signing below, I **also** certify that I am authorised to complete and provide the information in this form on behalf of the company listed in section 2 or 3 of this form.

1 <sup>st</sup> Applicant details	
Name	
Position/title	
Date	
Signature	

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2 <sup>nd</sup> Applicant details	
Name	
Position/title	
Date	
Signature	

3 <sup>rd</sup> Applicant details	
Name	
Position/title	
Date	
Signature	

## 8.2 Agent authorised to act for the applicant

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

Agent details	
Name	
Position/title	
Date	
Signature	



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## Office/Administrative use only

Application received:	
Time:	Date:
Officer's Name	
Signature	

## Document control

Approved by: Executive Director, Resource Operations, Regional NSW under delegation from the Minister administering the *Mining Act 1992*.

CM9 Reference: DOC20/429515

Amendment schedule		
Date	Version #	Amendment
July 2020	1.0	New format for Regional NSW. Form updated to reflect new Departmental name and branding, and updated links.