

Application to transfer

Mines ABN 59 020 847 551

*Mineral and Energy Resources (Common Provisions) Act 2014 Chapter 2
Mineral Resources Act 1989 Chapter 7
Form MMOL-05 Version 10*

The purpose of this form is to apply for indicative approval to transfer a resource authority, or to transfer a resource authority, with or without indicative approval. It is one of a collection of forms and documents pertaining to assessable transfers including the:

- Permit Administration Guide; and the
- 'Transfer Duty on Resource Authorities' Business Queensland webpage.

You may make an application to transfer shares between current holders, and lodge any attachments and pay the prescribed fee electronically using the [MyMinesOnline](#) system.

Refer to the **Permit Administration guideline** for assistance. Please cross where applicable ☒

Note: You may perform a [public enquiry report](#) for the below permit which is available on the department's website to confirm this registration.

Question 1 –Application type and permit details

Transfer type		Permit number (eg ML 01234)
1. Indicative approval	<input type="checkbox"/>	
2. Assessable transfer (with prior indicative approval)	<input type="checkbox"/>	
3. Assessable transfer (without prior indicative approval)	<input type="checkbox"/>	

Note: A separate application is required for each permit number. Multiple permits can not be used on the same form. Multiple permits can be applied for using MyMinesOnline.

Also note: For further information about the differences between the three application types listed above, please refer to section 13 of the Permit Administration Guide.

Question 2 – Current permit holder details

Detail the current holder(s) to which this request relates

	Holder 1	Holder 2	Holder 3	Holder 4
Company Name/surname:				
Given name (if individual):				
% share:				

(if insufficient space, provide information as separate attachment)

OFFICE USE ONLY

Received at: _____

Received by: _____

Date: / /

Time: AM/PM

Fees paid:

Total \$ _____

Receipt Number:

Application entered onto MyMinesOnline Y N

Name: _____

Signed: _____

Date: / /

Activity No: _____

Payment Method: Cash ☐ Credit Card ☐ Cheque ☐

Question 3 – Proposed transferee details

Specify details of all proposed holders, showing the percentage of interest to be held for permit affected by the transfer, including ACN/ARBN if applicable.

3.1 Proposed authorised holder details (if insufficient space, provide information as separate attachment)

(Note: If the current authorised holder (principal holder) is not changing, you are still required to provide the current details for this transfer)

Company name / surname:			
Given name (if individual):		ACN/ARBN:	
Address:			
Town/City:		State:	Postcode:
Country:		Phone no.:	
Date of birth: (if individual):			
Email:			
<input type="checkbox"/> Sole tenant	Percentage holding %:		

Attachments required to form:

- Proof of identity for each proposed transferee ☐

If an environmental authority is required, you will also need to ensure you are a **Registered Suitable Operator** under the *Environmental Protection Act 1994*. More information available from <https://environment.des.qld.gov.au/licences-permits/suitable-operators/>

3.2 Other holders details - provide all other registered holders contact details (if insufficient space, provide information as separate attachment)

	Holder 1	Holder 2	Holder 3
Company Name/surname:			
Given name (if individual):			
ACN/ARBN			
Address:			
Town/City:			
State:			
Postcode:			
Country:			
Phone:			
Date of birth: (if individual)			
Email:			
% Holding:			
Tenancy:	<input type="checkbox"/> Tenants in common <input type="checkbox"/> Joint tenants		

3.3 – Disqualification

Indicate if the transferee, or an associate of the transferee, identifies with any of the matters considered to be relevant to deciding whether a transferee may be disqualified under [section 196C\(2\)](#) of the *Mineral and Energy Resources (Common Provisions) Act 2014* (MERC Act)?

☐ Yes

☐ No

Note that it is an offence to provide false or misleading information.

associate, of a transferee for a prescribed matter, means either—

- (a) an entity the decision-maker for the prescribed matter considers is in a position to control or substantially influence the applicant's affairs in connection with the prescribed resource authority the subject of the prescribed matter; or
- (b) if the applicant is a body corporate—
 - (i) a director of the applicant; or
 - (ii) if the applicant is a subsidiary of another body corporate (the **parent company**) —
 - (A) the parent company; or
 - (B) a director of the parent company.

If yes to above, the following attachments are required:

[Disqualification Checklist](#)

Documents relating to the potentially disqualifying matters

☐☐

3.4 Authorised holder representative (authorised person to act as contact for this permit)

Name:

Contact:

Address:

Town/City:

State:

Postcode:

Country:

Phone no.:

Email:

Attachments required to form (AHR):

- Letter of authority from proposed transferees for authorised holder representative to act on behalf of them for this permit

Question 4 – Prior indicative approval details (complete only if you have selected option 2 transfer type)

Has the Minister given prior indication of the approval of the transfer?

Yes ☐
Continue below

No ☐
Go to Q5

Provide indicative approval date and reference number

Were conditions imposed as part of the indicative approval?

Yes ☐

No ☐

Attachments required with the form:

- Evidence that conditions imposed on prior indicative approval have been met

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Continue to [Question 6](#)

Note: if the indicative approval was received more than six months ago it may no longer be valid as per section 13 of the *Mineral and Energy Resources (Common Provisions) Regulation 2016*.

Question 5 – Financial and technical capability

(Not required if an indicative approval of the transfer was given and this application is being made within the valid period or transfer is in respect to a mining claim)

5.1 Please tick one of the below statements and **attach** the required financial and technical documents and statements according to your history and performance for all proposed transferees.

For all permit types:

I/we have more than 5 years history in Queensland with a good compliance record. <input type="checkbox"/>	I/we have less than 5 years compliance history in Queensland or do not wish to rely on my/our history. <input type="checkbox"/>
Financial information: Financial capability statement Details of other financial commitments in relation to resource activities in Queensland	Financial information: Financial capability statement Supporting evidence Details of other financial commitments in relation to resource activities in Queensland
Technical information: Technical capability statement Details of other human / technical resource commitments in relation to resource activities in Queensland Third party declaration (if a third party is providing resources for your work program)	Technical information: Technical capability statement Details of other human / technical resource commitments in relation to resource activities in Queensland Third party declaration (if a third party is providing resources for your work program) Supporting evidence

Attachments required with the form:

- Financial and Technical statements and evidence for all holders and transferee (if applicable) ☐
- Transferees experience in resource exploration and production statement (if applicable) ☐
- Evidence that a transferee or each transferee has the financial resources to complete rehabilitation after the transfer, based on the estimated rehabilitation cost for a resource activity (see section 300 of the *Environmental Protection Act 1994* (Qld)). ☐

Question 6 – Other interests

(Not required if an indicative approval of the transfer was given and this application is being made within the valid period and you have provided the required consents from caveator/mortgagee)

6.1 Is there a caveat prohibiting this transfer recorded in respect of the permit?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, provide caveat reference number and caveator name:

Activity no.:	Caveator name:

Note: If consent is not provided from the caveator with the indicative approval or assessable transfer application, or the caveat is not removed, the indicative approval cannot be given or the transfer cannot be registered. Refer to consent of caveator form available on department's website.

Activity number is MyMinesOnline reference number.

Attachments required for Question 6:

- Consent to register transfer from caveator on approved (MMOL-08A Consent of caveator) form (if applicable) ☐
- Removal of caveat by caveator (if applicable) ☐

6.2 Is there a mortgage recorded in respect of the permit?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, provide mortgage reference number and mortgagee name:

Activity no.:	Mortgagee name:

Note: If the holder's share being transferred does not have a mortgage registered; however there is a mortgage registered against another holder's share, the holder must supply a statement confirming that there are no mortgages on the share being transferred. If the holder's share being transferred does have a mortgage registered, consent from the mortgagee is required.

Attachments required for Question 6:

- | | |
|--|--------------------------|
| Consent to register transfer from mortgagee (template form available on departments website) (if applicable) | <input type="checkbox"/> |
| Removal of mortgage by mortgagee (MMOL-06 Registration of a mortgage or sublease or release of a mortgage) (if applicable) | <input type="checkbox"/> |

Question 7 – Overlapping arrangements

Coal, oil shale mining lease or petroleum lease only -

Is the permit in the area of a coal or oil shale mining lease, or petroleum lease?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, provide evidence that the transferee and lease holder are parties to a coordination arrangement (evidence not required if they are the same entity).

Attachments required:

- Evidence that transferee and overlapping permit holder are parties to a coordination arrangement

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Note: Evidence is not required for indicative approval but must be provided with assessable transfer application; and. Evidence is not required if the petroleum lease holder and the coal or oil shale mining lease holder are the same entity.

Question 8 – Current holder obligations

For all permit types, the current holder(s)/transferor(s) must confirm that they have met all relevant obligations below:

All rent has been paid	<input type="checkbox"/> Yes	<input type="checkbox"/> No	For mining and petroleum lease: All local government rates and charges have been paid	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA
For production leases: a duly completed Royalty Return together with any royalty payable or evidence of lodgement of Royalty Return and payment of any royalty.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	For assessable transfer applications: Assessment by the Queensland Revenue Office has been made and if applicable transfer duty has been paid (Not applicable for mining lease application)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA
All statutory reporting for the permit has been provided and accepted and all other conditions (including native title and landholder compensation requirements) have been complied with	<input type="checkbox"/> Yes	<input type="checkbox"/> No	For small scale mining activity exploration permit for minerals: Small scale mining code and conditions have been complied with	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA

Note: refer to s325 of the MRA for additional royalty requirements for transfer

Attachments required if 'no' has been selected above:

- Statement outlining why application should still be considered and demonstrating transferors substantial compliance

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Question 9 – Additional requirements

Attachments required:

- Document demonstrating the consent of all existing holders to the transfer (required as a separate document if all holders have not signed the application form) ☐
- Document evidencing transfer between parties
- Statement that additional conditions under sections 141AA, 141B, 194AAA, 194AB, or 276B in relation to native title protection conditions or a native title agreement have been met
- Document showing assignment clause has been met e.g. Copy of NTPC's Form 15 - Assignment notice

Question 10 – Payment and attachments

Transfer approval fee (per permit or mining lease application) or ☐

Transfer approval fee if indicative approval was given (per permit or mining lease application) ☐

Documents and consents required are attached (if applicable) ☐

Please note: There is no requirement to transfer the environmental authority issued by the Department of Environment and Science (DES) under the *Environmental Protection Act 1994* (EP Act). However, the incoming holder may be required to pay financial provision pursuant to the *Mineral and Energy Resources (Financial Provisioning) Act 2018* before the transfer can be registered.

An invoice will be issued to the incoming holder by the Scheme Manager and this money must be paid to Queensland Treasury, not the Department of Resources.

Question 11 – Declaration of current holders

WARNING: Giving false or misleading information is a serious offence.

- I have truthfully declared all relevant details requested of me in this form.
- If any part of this form has been completed with the assistance of another person, I declare that the information as set down is true and correct and has been included with my full knowledge, consent and understanding.

Print name:

Signature:

Position:

Date:

Company:

Print name:

Signature:

Position:

Date:

Company:

Print name:

Signature:

Position:

Date:

Company:

Print name:

Signature:

Position:

Date:

Company:

I wish to receive an email confirmation of this registration ☐ Provide email address below-

Email:

Question 12 – Declaration of transferees

- I have truthfully declared all relevant details requested of me in this form;
- If transferred, I understand that I must comply with the conditions of the permit and comply with statutory requirements;
- understand that any false information may result in a penalty;
- If any part of this form has been completed with the assistance of another person, I declare that the information as set down is true and correct and has been included with my full knowledge, consent and understanding.

Print name:

Signature:

Position:

Date:

Company:

Print name:

Signature:

Position:

Date:

Company:

Print name:

Signature:

Position:

Date:

Company:

Print name:

Signature:

Position:

Date:

Company:

OFFICE USE ONLY CHECKLIST

Q2: Correct permit holder details?
(check holder details on register)

Y / N /NA

Q3: Transferees are eligible person?

If company check ASIC to ensure company is registered

If individual check ID to ensure transferees are adults

Y / N

Receiving officer

I confirm that:

- the details on this form have been checked;
- the checklists above are complete;
- the permits are granted or ML application;
- attachments required are correct;
- correct fees have been submitted.

Q3: All other holder addresses provided?

Y / N

Q4: Indicative approval given?

Y / N /NA

The request for approval for an assessable transfer **has / has not** provided all the information required by the legislation to be assessed. I recommend that the request **should / should not** be received.

All indicative approval conditions have been met?
(If **no**, ensure evidence has been submitted)

Y / N

Name: _____

Signed: _____

Date: / /

If indicative approval was given and holder submitted transfer in timeframe Q5.1-5.2 will be NA

Q5.1: Financial and technical statements provided?

Y / N /NA

Q5.2: Transferees experience in resource exploration and production statement

Y / N /NA

Q6.1: Is there a caveat registered on permit(s)?
(check register) (Ensure consent or removal documents have been submitted)

Y / N

Departmental Officer

Q6.2: Is there a mortgage registered on permit(s)?
(check register) (Ensure mortgagee consent or holder statement has been submitted)

Y / N

The request for approval for an assessable transfer is **received and can be recorded on the register or refused to be received** under s386Pof the MRA, s842 of the P&G, s120 of the 1923 Act, s412 of the GHG, s364 of the GEO Act (cross out Acts that do not apply).

Q7: Coordination arrangement in place with transferees?

Y / N /NA

Reasons for refused to receive:

Q8: Ensure holder has completed obligations check
Ensure any statements or evidence is provided if holder has selected NO
OSR stamp duty evidence provided (this may be on transfer document) (NA for ML Applications)

Y / N

Name: _____

Q9: Ensure any statements or evidence is submitted

Y / N

Signed: _____

Date: / /

Q10: Correct fees per permit received?

Y / N

Q11, 12: Have all current holders and transferees signed form?

Y / N

Disclaimer

The Queensland Government is collecting information provided on this form for the purposes of assessing the suitability of your request to record this transfer and maintain the public searchable register under the *Mineral Resources Act 1989 (MRA)* and section 197 of the *Mineral and Energy Resources (Common Provisions) Act 2014 (MERC)*. Some or all of this information may be provided to other agencies of the Queensland Government for the issuing of an environmental authority, to make register searches, extracts or copies under section 199 of the MERC, or to make other approvals as required under the Act. Some of this information may be provided to Queensland Treasury, the Scheme Manager under the *Mineral and Energy Resources (Financial Provisioning) Act 2018 (MERFP Act)*, or any advisors to the Scheme Manager to enable the Scheme Manager to carry out the Scheme Manager's functions under the MERFP Act. Your personal information will not otherwise be disclosed to any other third party without your consent, unless authorised or required by law.