

Authorised Holder Representative (AHR) guide

A holder or holders can nominate an individual or agent to act on their behalf when dealing with the department in order to manage a permit.

When an applicant applies for a permit, or at any stage throughout the duration of their permit, they can nominate an individual or agent to act on their behalf when dealing with the department.

This person or agent is known as an authorised holder representative.

Key information

- To nominate a new AHR or change the address of an existing AHR the MMOL-02A form is required
- To nominate an AHR a letter of authority from the permit holder/s is required
- The AHR will be linked to the permit in [MyMinesOnline](#) and will be able to perform activities on the permit and will be able to view the progress of assessment on an application
- The AHR will be the contact for the permit and any environmental authority /licence issued for the permit
- The department can only register one AHR to a permit

The full legislation is available online from the [Office of Queensland Parliamentary Counsel](#) website.

Appoint or change address of an Authorised Holder Representative

If a permit has an AHR appointed after an application has been lodged and accepted by the department the [MMOL-02A form](#) will need to be completed and returned to a [Mines Assessment Office](#). If a permit application has not yet been lodged the AHR can be added to the application and no additional form is required.

This form is required to change the address of a current AHR. There is no prescribed fee to appoint an AHR or for changing the address of a current AHR.

Letters of authority

When an applicant applies for a permit, or at any stage throughout the duration of their permit, they can nominate an individual or agent to act on their behalf when dealing with the department. This person or agent is known as an **authorised holder representative (AHR)**.

Only one AHR can be nominated for each permit. The following scenarios apply:

- Where there is only one holder, and that holder is an individual, that person will be the AHR, unless an agent or other individual is nominated to act on their behalf.
- Where there is only one holder, and that holder is a company, the AHR will be a person nominated by that company (an individual in that company or agent).
- Where there are multiple holders, the authorised holder must nominate a person or an agent company to act on their behalf.

In cases where a permit holder is a 100 per cent holder, the AHR and the permit holder may be the same individual. However, in most cases, the AHR is an individual or agent that is not the same as the permit holder. To be able to liaise with this individual or agent, the department needs to have permission from the authorised holder of the permit that this person or agent is the authorised contact point.

A **letter of authority** provides permission for certain transactions to be carried out by a third party or agent. A letter of authority will also be required to carry out transactions under the Environmental Protection Act 1994. The template in this guide and available on the Departments website provides for transactions under the resources Acts and Environmental Protection Act 1994.

For current permit applications, granted permits and environmental authority applications, the **letter of authority** must be signed in accordance with s127 of the Corporations Act. Signatures by two Directors or one Director and Company Secretary or one Director and under Company Seal.

For new applications and environmental authority applications being lodged with the department the **letter of authority** must be signed in accordance with s127 of the Corporations Act. Signatures by two Directors or one Director and Company Secretary or one Director and under Company Seal and specify what transactions the AHR has the permission to conduct on behalf of the permit holders.

For AHRs dealing with the department for the first time, to be interactive the AHR needs to provide identification documents that prove their identity by sending certified copies to the MyMinesOnline helpdesk at:

MyMinesOnline
Statewide Operations
Department of Natural Resources, Mines and Energy
PO Box 15216
City East Qld 4002

Once these certified copies of identification have been received the AHR user will be authenticated. Copies need to be certified by an authorised witness. This may include (but not limited to) a Justice of the Peace, Commissioner of Declarations, Police Officer, Medical practitioner, Dentist Pharmacist, Nurse, School teacher, State or Commonwealth Government employee.



NOTE: Where an applicant wishes to transact using *MyMinesOnline* and they nominate an AHR, the AHR will be required to provide proof of identification. The documents provided as proof of identity need to be certified by an authorised witness and provided to the department.

When a letter of authority is required

There are several scenarios when you may be required to provide a letter of authority to the department, including:

- when an AHR is dealing with the department for the first time.
- when an individual requires access to view permits that they have authority to view.
- when the AHR function is transferred to another AHR for an existing, granted permit, or permit application.
- if the authorised holder of a permit changes as the result of a permit being transferred, and the party has not previously nominated an AHR to oversee the management of their permits transactions.
- if an existing authorised holder decides to nominate an AHR.
- if a nominated AHR is a holder company employee and that function is transferred to another employee.

Information that needs to be included in a letter of authority

A letter of authority has a number of purposes. It needs to contain clear guidelines as to how the department interacts with the AHR. The letter of authority needs to be written so that the department understands:

- What permits are managed by the AHR (all permits on behalf of an authorised holder, or specific permits only)
- Who is the AHR (e.g. whether the permission has been delegated to a specific individual or to an agency)
- What transactions the AHR has permission to carry out (or more importantly, if this delegation is in some way limited)
- Who the permission must come from (e.g. this is particularly important when we are dealing with parent companies and subsidiaries).

The letter of authority must be signed in accordance with s127 of the Corporations Act. Signatures by two Directors or one Director and Company Secretary or one Director and under Company Seal.

Authority for specific permits or all permits

The letter of authority needs to clearly state if the authority being given applies to specific permits or all permits in the name of the permit holder.

Example 1 – specific permits

This letter delegates the authority for all tasks related to the management of permit EPM1245 to...

Example 2 – all permits

This letter delegates the authority for all tasks related to the management of **all permits held in the name of A1 Mining Pty Ltd** to...

Specifying the authorised holder representative

The authorised holder needs to specify the name of the AHR by individual name and company, if the authority is being delegated to a specific person. If the permit holder is authorising a specific company to manage permits on their behalf as an agent the permit holder would also need to state this.

Example 1 - specific permit assigned to specific agent

This letter delegates the authority for all tasks related to the management of permit EPM1245 to **Sarah Jones, of Generic Tenure Administration Company**.

Example 2 – all permits assigned to any employee of agent

This letter delegates the authority for all tasks related to the management of all permits held in the name of A1 Mining Pty Ltd to **Generic Tenure Administration Company (as an Agent) and any employee thereof**.

Parent and subsidiary companies

The letter of authority needs to be signed in accordance with the Corporations Act by the company that is the permit holder. It may be on the letterhead of the company that is the permit holder.

If the company that is the permit holder is a subsidiary of a parent company, and the letterhead of the parent company is used, this needs to be stated in the letter of authority. Also, the permit holder name must be listed in the signature block so the directors / director and company secretary / sole director and company secretary are signing off on behalf of the permit holder (and not a parent company)

Example 1 – subsidiary company as the permit holder

A1point1 Mining is the permit holder for a number of permits and is a subsidiary company of A1 Mining Pty Ltd. The letter of authority should be on the letterhead of A1point1 Mining.

Example 2 – parent company authority

If the letter of authority is submitted on A1 Mining Pty Ltd letterhead, the content needs to explain the relationship between the two companies and:

- **state that A1point1 Mining is a subsidiary of A1 Mining Pty Ltd**
- **be signed by the Director (or equivalent as per Corporations Act) of A1point1 Mining.**

Specify transactions the authority applies to

Authority can be given to an AHR for specific transaction types or for all transactions (including terminating and surrender permits and relinquishing permit areas). This needs to be specified in the letter of authority.

For example, a permit holder may be happy for an Agent to act on behalf of them for matters that relate to basic permit administration tasks (such as lodging applications, changing names or holder details etc), but not for tasks that relate to financial or ownership transactions.

Example 1 - assignment of all tasks for all permits

This letter delegates the authority for all tasks related to the management of all permits held in the name of A1 Mining Pty Ltd to Generic Tenure Administration Company (as an Agent) and any employee thereof.

The activities that this authority applies to are those that are administrative and financial in nature, including:

- **Submitting applications**
- **Renewing applications**
- **Lodging annual and expenditure reports on our behalf**
- **Changing contact details on our behalf**
- **Acting as the contact point for all general enquiries from the resource authority in Queensland**
- **Managing transactions in relation to our holdings, including sub-leases, caveats, etc**

Power of attorney

A **power of attorney** involves the creation of a formal agreement giving someone else the power to make decisions on another's behalf.

The agreement needs to be formally made, as the decisions that an attorney makes on behalf of another person are legally binding. The types of decisions a person can make on behalf of another can be specified.

There are two types of power of attorney:

General power of attorney

A general power of attorney involves someone being given the power to make financial decisions only, on behalf of another person, for a specific period only. A general power of attorney can only be appointed when a person has the capacity to do so. For example, someone might choose to do this if they are going overseas for a period of time and needed someone else to pay bills on their behalf.

Enduring power of attorney

An enduring power of attorney is appointed to make personal and financial decisions on another's behalf when they are unable to do so. For example, a person may be too ill to make choices about their affairs, or they may have an impairment that prevents them from communicating their wishes to others.

For more information about power of attorney, [visit the Department of Justice and Attorney General website](#).

If a company or individual has the power of attorney to represent another company or individual who is a permit holder, the letter of authority must come only from the company or individual who holds the power of attorney and accompany the letter of authority. It may be on the letterhead of this company only and **signed in accordance with Corporations Act by for this company**.

Note: If an individual has the power of attorney to represent a company or individual who is a permit holder, this power of attorney letter is sufficient as the letter of authority.

Example 1 – Subsidiary

ABC Mining Pty Ltd has been granted the power of attorney to represent A1point1 Mining—the permit applicant for several permits throughout Queensland.

ABC Mining Pty Ltd is a subsidiary of Alphabet Mining Limited. ABC Mining Pty Ltd is looking after all permits in-house, but need to nominate an AHR.

Because A1point1 Mining is the permit applicant, the letter needs to be provided to us that:

- **is on A1point1 Mining letterhead**
- **details the power of attorney vested in ABC Mining Pty Ltd**
- **nominates an individual as a AHR or all employees of ABC Mining Pty Ltd signed by two directors, a director and a company secretary, or in the case of a sole director who is the company secretary, that person of A1point1 Mining.**

This letter is to advise the department that ABC Mining Pty Ltd has the power of attorney to act for A1point1 Mining. We nominate Michael Jones as the representative of this company as the authorised holder representative.

Note: *A letter of authority would not be accepted from the company Alphabet Mining Limited as they are not the company that has been given the power of attorney. It does not matter even if they are the parent company. If the director is the same person for ABC Mining Pty Ltd and Alphabet Mining Limited, the authorisation letter must be signed off as the director of ABC Mining Pty Ltd. Letters of authority must have a copy of the power of attorney document attached.*

Example 2 – Subsidiary

ABC Mining Pty Ltd has been granted the power of attorney to represent A1point1 Mining— the permit applicant for several permits throughout Queensland.

ABC Mining Pty Ltd is a subsidiary of Alphabet Mining Limited. ABC Mining Pty Ltd is looking after all permits in-house, but need to nominate an AHR.

Although A1point1 Mining is the permit applicant, the letter can also be provided by ABC Mining Pty Ltd as they have the power of attorney. This letter would need to be provided on ABC Mining Pty Ltd letterhead and signed in accordance with Corporations Act by ABC Mining Pty Ltd.

Note: This authorisation would need to be submitted to the department accompanying the proof of the power of attorney or in writing from the permit holder A1point1 Mining on their letterhead and signed off in accordance with Corporations Act.

Example authorisation letter to nominate an authorised holder representative

Note: a fillable template is available on our [website](#)

Queensland Government
C/- Executive Director, Minerals & Coal / Petroleum & Gas
Department of Natural Resources, Mines and Energy
Po Box 15216,
City East Qld 4002

I/we the undersigned, being the applicants/holders of the relevant resource authorities listed below, nominate the following Authorised Holder Representative to complete application and transactions and request and receive information and statutory documents on my/our behalf.

Details of authorised holder representative

Name - individual or chief executive officer if applicant is an organisation	Date of birth if an individual
Position	
Organisation name	Organisation number (e.g. ACN/ARBN etc.)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	
Email	

This authorisation is in relation to the following resource authorities or application/s, and future submissions of applications. If an application listed below is granted the authorisation extends to the resulting resource authority while the resource authority remains current.

Resource authority and or application numbers	Type
	Application/Resource authority
	Application/Resource authority
	Application/Resource authority
	Application/Resource authority
	Application/Resource authority
	Application/Resource authority

I/we agree if there are changes to this authority, or there are changes in the ownership of the application/s, or resulting resource authorities, I/we will complete a new letter of authority and submit it to the Queensland Government, C/- Executive Director, Mining and Petroleum Operations. Unless and until such notification is received, the Queensland Government will be entitled to continue to rely on this authority.

The Authorised Holder Representative nominated above has my/our explicit authority to undertake all activities and transactions under the Mineral Resources Act, Petroleum and Gas (Production and Safety) Act, Petroleum Act, Geothermal Energy Act, Greenhouse Gas Storage Act, Mineral and Energy Resources (Common Provisions) Act or any other mining associated legislation or the Environmental Protection Act or any corresponding Regulations with the Queensland Government in relation to the application/s or resource authorities listed above. Examples of these activities and transactions are:

1. Completing and lodging the resource authority related applications.
2. Responding to requests for information from any Queensland Government department relating to the resource authority application, or if granted, the resource authority.
3. Being the point of contact for application and resource authority notices, letters or other interactions and transactions.
4. Completion and submission of notices, reports, returns, letters and other information or communication required to be completed by any Queensland Government department
5. Completion and submission of transactions throughout the active life of the resource authority (if granted), including the payment of annual fees and completion of annual returns for environmental authorities.
6. Granting access to the MyMinesOnline computer system to other people to have the ability to perform authorised holder representative responsibilities, but not the ability to grant additional access.
7. Requesting and obtaining access to confidential information (as defined in the Mineral Resources Act or the Petroleum and Gas (Production and Safety) Act) concerning royalty obligations in relation to the resource authorities or application/s listed above.

I/we acknowledge that it is our responsibility to be informed of any actions undertaken by the Authorised Holder Representative and to inform the Authorised Holder Representative of any actions undertaken by me/us. I/we also acknowledge that in regard to the above activities and transactions, any legislative notification provision that refers to notifying either the applicant or the holder of a resource authority or authorisation may be met by notifying the Authorised Holder Representative, except where legislatively provided to the contrary, whether expressly or impliedly..

I/we acknowledge that the Authorised Holder Representative and I/we am/are jointly and severally liable for knowingly or having reasonably ought to have known and/or intentionally giving the administering authority under the Environmental Protection Act false, misleading or incomplete statements or documents in relation to the above resource authorities/applications.

Details of all applicants/resource authority holders making this authorisation

Name - individual or director / company secretary if the applicant is an organisation	Date of birth if an individual
Position	
Organisation name	Organisation number (e.g. ACN/ARBN etc.)
Residential or registered business address (not a post office box)	Phone
Postal address (if different from above)	
Email	
Signature *	Date

*signed in accordance with s127 of the Corporations Act. Authorisation signed by two Directors, or one Director one Company Secretary, or one Director and under Company Seal

Authorised Holder Representative

I understand and accept the responsibilities of the authorised holder representative as defined in this letter.

Signature of Authorised Holder Representative named above

Name - individual or chief executive officer if applicant is an Organisation	Date of birth if an individual
Position	
Organisation name	Organisation number (e.g. ACN/ARBN etc.)
Signature	Date

More information

Coal Hub Phone: (07) 4936 0169
Email: CoalHub@dnrme.qld.gov.au

Petroleum Hub Phone: (07) 3199 8118
Email: PetroleumHub@dnrme.qld.gov.au

Mineral Hub Phone: (07) 4447 9230
Email: MineralHub@dnrme.qld.gov.au

Small Scale Mining Hub Phone: (07) 4987 9350
Email: SSMHub@dnrme.qld.gov.au

For technical support contact the MyMinesOnline Helpdesk.
Telephone: +61 7 3199 8133
Email: mines_online@dnrme.qld.gov.au
8.30am – 4.30pm (AEST) Monday to Friday on Queensland business days.