



# Application to vary the conditions of an exploration permit

Mineral Resource Act 1989

Version 3

Complete this form and submit the application with any attachments via MyMinesOnline.

For an exploration permit (EP) granted before commencement and not renewed after 25 May 2020 – applications to vary the conditions of an EP may be made to vary work program and expenditure commitments and relinquishment, pursuant to section 141C, as it applied before the commencement of the *Natural Resources and Other Legislation Amendment Act 2019* (NROLA Act) (pre-NROLA EPs).

For an EP that has either been granted after 25 May 2020 or is transitioning to the NROLA framework i.e. has been renewed for the first time after 25 May 2020 - holders may make an application to vary the conditions of a permit only if the variation is necessary due to an exceptional event or circumstances arising from the existing permit forming part of an exploration project, pursuant to section 141C of the *Mineral Resources Act 1989* (MRA) (post-NROLA EPs).

Please read operational policies operational policies numbers MIN/2015/1246 Application to vary work program conditions of an exploration permit, MIN/2015/1254 Exploration work program and relinquishment requirements for an exploration permit, MIN/2015/1313 Exceptional circumstances and exceptional events, and MIN/2015/1252 Project-based exploration administration (*“the Policies”*) before completing this application.

This form comprises information required under the MRA and associated operational policies. It is recommended you provide as much justification as you feel necessary, including attaching further documentation, to support this request. Complete on screen or use a pen and write neatly using **BLOCK LETTERS** Cross where applicable.☒

### Notes:

1. In accordance with MIN/2015/1246 Application to vary work program conditions of an exploration permit, any application to vary conditions should be made at least **two months** before the end of the period that relates to the condition.
2. **Expenditure only applies to a work program for pre-NROLA EPs.**

### Question 1 – Permit details

Permit number (e.g. EPM01234):	<input type="text"/>	Grant date:	<input type="text"/>	Expiry date:	<input type="text"/>
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### Question 2 – What type of variation are you applying for?

#### 2.1 Reason for application for pre-NROLA EPs:

<input type="checkbox"/> Variation to an existing work program	<input type="checkbox"/> Variation to expenditure commitment
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#### 2.2 Reason for application for post-NROLA EPs:

Exceptional event
Circumstances arising from permit forming part of a project

If option is for project, please provide:

What is the project number?	What is the project name?
What are the permit numbers associated with the project?	

### Question 3 – Permit holder details

#### Detail the current holder(s)

	Holder 1	Holder 2	Holder 3
Company Name/surname:			
Given name (if individual):			
ACN/ARBN			
% Holding:			

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

Name:

Contact:

Address:

Town/City:  State:  Postcode:

Country:  Phone no.:

Email:

### Question 4 – Self assessment of variation request to ensure it satisfies policy criteria *(to be prepared in consideration of the department's operational policies. All 13 questions are to be completed)*

Please tick

		YES	NO	Mineral Resources Act 1989 ("MRA") and Policy requirements
1	Is the EP one that was granted before 25 May 2020 and has not yet been renewed after 25 May 2020?			<i>An approved work program in place before commencement of the NROLA will continue until the end of the term the work program applies to (i.e. first renewal after commencement), pursuant to section 855(2) of the NROLA Act.</i>
2	Is the EP one that has been either granted after 25 May 2020 or is transitioning to the NROLA framework i.e. has been renewed for the first time after 25 May 2020?			<i>Section 141C of the MRA provides that the holder of an exploration permit may make an application to vary the conditions of a permit only if the variation is necessary due to an exceptional event or circumstances arising from the existing permit forming part of an exploration project.</i>
3	Was the permit granted as a result of a competitive application process? If so, does this variation application relate to the first two years of the permit?			<i>The policies require requests of this nature be supported by justification. Requests of this nature will only be considered if the variation is required as a result of an exceptional event or if the permit is part of an exploration project.</i>
4	Have all reporting requirements on the permit been met? This includes the lodgement of relinquishment reports, annual reports, and separate expenditure statements.			<i>Section 141 MRA requires that reports be lodged to comply with the conditions of the permit. The department may refuse to accept variation requests made on permits with outstanding reporting obligations due to the permit not being in strict compliance with mandatory permit conditions.</i>

5	Has all rent on the permit been paid to date?		<i>Sections 138 and 141 MRA require that rental be paid on the anniversary date of the permit, as part of the conditions of the permit. The department may refuse to accept variation requests made on permits with outstanding rental due to the permit not being in strict compliance with mandatory permit conditions.</i>
6	Was the variation be lodged no later than two months prior to the end of the period the variation relates to?		<i>Departmental policy requires that variation requests should be lodged at least two months prior to the end of the relevant period. If you are unable to lodge within this timeframe, the permit holder will need to provide the reasons for late lodgement. Consideration will be given to this and assessed against the holder's compliance history together with the variation request.</i>
7	Can you demonstrate substantial compliance with permit conditions, including (but not limited to) relinquishment, expenditure, work programs, reporting and rent?		<i>The MRA and guidelines provide background to the assessment of the tenure holder's compliance. This will be considered in any variation request.</i>
8	Has there been more than one relinquishment variation request applied for on the permit in the past term?		<i>The policies provide that where relinquishment variations are granted, it does not change the permit relinquishment requirements but only defers the requirement to the next relinquishment date. If a previous relinquishment variation request has been made (and was approved) in the current term, a subsequent relinquishment variation may not be approved, unless an exceptional event has occurred that prevents the holder from complying with work program activities or if the permit is part of an exploration project.</i>
9	Does the variation apply to a transfer?		<i>Tenure holders accept terms and conditions, including that they will meet work program, expenditure and relinquishment commitments. If the permit is being transferred, it is the holders' responsibility to ensure that commitments are met until the transfer is finalised. A transfer is not considered a valid reason to vary conditions and will only be approved if an exceptional event has occurred that prevents the new holder from carrying out the work program activities or if the permit is a part of an exploration project.</i>
10	<b>For pre-NROLA EPs only</b> Does the variation justification relate to your financial ability to carry out the work? This can include lack of funding or commitments on other projects.		<i>Section 133 of the MRA and s10 of MERCP Regs provide that tenure holders are granted or transferred a permit as they indicate they have the financial resources to comply with conditions and carry out the work program on each permit. As the holder has acknowledged this and accepted the terms and conditions, variation requests of this nature might not be approved unless exceptional circumstances are provided.</i>
11	<b>For pre-NROLA EPs only</b> Does the variation relate to your technical ability to carry out the work program? This can include your inability to source or dedicate rigs, equipment or qualified personnel to the permit work program.		<i>Section 133 of the MRA and s10 of MERCP Regs provide that tenure holders are granted or transferred a permit as they indicate they have the human and technical resources to comply with conditions and carry out the work program on each permit. As the holder has acknowledged this and accepted the terms and conditions, variation requests of this nature may not be approved unless exceptional circumstances are provided.</i>
12	Does the variation request relate to work program activities that are of equal or greater value that are consistent with the objectives of the existing work program?		<i>Under the policies, variations to work program activities might only be approved if the alternative work activity is of equal or greater value and/or if the alternative work activity is consistent with the objective of original work program component. As an example, an airborne survey might be conducted rather than an approved drilling program as it saves the applicant time and money and provides richer data.</i>

13	Is this permit part of an approved project? If so, nominate the project permits to which the commitments on this permit were met in <b>5.1</b> or <b>5.5</b> below.		<p><i>Operational policy MIN/2015/1252 Project-based exploration administration provides a framework for the management of multiple permits. If this permit is not part of an exploration project, any request referencing another permit will not be approved. If this permit is part of an exploration project for relinquishment nominate the permit to which relinquishment due on this permit will apply to in Q 5.5, for expenditure and work program, nominate the permit where the work was undertaken in your justification in Q 5.1.</i></p> <p><b>A completed project status workbook should be completed and provided with this application for variations of EPMS.</b></p>
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**Question 5 - Variation details (please attach any further justification or information as required)**

**5.1 Variation to work program and related expenditure**

Permit work period to which variation applies	Offset work period where work program and related expenditure will be met		<b>(ONLY for approved Projects)</b> Nominate permit where work was undertaken	
Current conditioned work program and related expenditure				
Proposed work Program and related expenditure				

**5.2 Provide justification as to why you are unable to meet the work program commitments.**

Consider the costs and description of exploration techniques undertaken to achieve the work program commitments why the variation is required. If the variation request is related to circumstances beyond your control or an exceptional event, please provide those details below:

**5.3 Outline what has been done in the current term to meet your work program commitments and related expenditure:**

**5.4 Outline how you will remedy the shortfall of the work program commitments and related expenditure and/or what significant change to exploration techniques were used in the current period to achieve your work program commitments:**

**5.5 Variation to prescribed relinquishment schedule**

Permit work period to which variation applies	Maximum current prescribed sub-blocks for that period	Number of sub-blocks due for relinquishment	Proposed sub-blocks to be retained	Date last relinquishment was made from permit	<b>(ONLY for approved Projects)</b> Nominate relinquishment from which permit?

**5.6 Provide reasons why you are seeking to vary the current relinquishment condition.** Valid reasons might include, consideration of voluntary reduction, a lodged higher tenure application, exploration project administration, or an exceptional event.

If required, refer to the operational policies for definitions and examples of exceptional circumstances and exceptional events.

**5.7 When was the last variation to relinquishment conditions approved on the permit? What reasons were provided in that request? If a variation has already been approved in the current term, what are the reasons for this application to also be considered?**

**Question 6 - Confirm your obligations**

This application to vary the conditions of an exploration permit is made pursuant to section 141C of the *Mineral Resources Act 1989*. Applications to vary conditions must be signed by all holders or their authorised holder representative. By signing below or in an attached submission, you also confirm the following:

I/We have read and understood Operational policy, MIN/2015/1246 Application to vary work program conditions of an exploration permit.
I/We understand that section 404D of the <i>Mineral Resource Act 1989</i> provides that a document containing information that is false or misleading can attract a maximum penalty of 200 penalty units.
I/We understand my/our obligations as a holder(s)/authorised holder representative(s).
I/We acknowledge the results of my/our self-assessment in <b>Question 3</b>
I/We understand that my/our self-assessment of this request to vary the conditions of the permit will be verified and used in the departmental assessment of this request.
I/We acknowledge that assessment of this request will be made on the application as lodged and it is unlikely that the department will seek any further information in the assessment.
I/We will make any required actions necessary once advice of the variation assessment decision is provided to me/us (including relinquishment nominations) within statutory or specified timeframes.

- Attachments required:**
- Further documentation required to support your application to vary conditions
  - Any authorisations or consents as required

Print name:		Signature:	
Position:		Date:	
Print name:		Signature:	
Position:		Date:	
Print name:		Signature:	
Position:		Date:	

**Disclaimer**

The Queensland Government is collecting information provided on and with this form to assess the suitability of the application under the *Mineral Resources Act 1989* (the MRA). This information is authorised by sections 125, 231, 317 of the MRA and section 197 of the *Mineral and Energy Resources (Common Provisions) Act 2014* (MERCP). Some or all of this information may be provided to other agencies of the Queensland Government for issuing an environmental authority, to make register searches, extracts or copies or to make other approvals as required under the relevant 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.