

# Caveats – Lodgement, continuation and withdrawals on a Mineral Titles

## Information Bulletin

### Definition of a Caveat

A caveat is defined as a warning and is designed to act as a notification tool only. A caveat will not prevent further lodgement of dealings.

A caveat must be lodged on the appropriate approved form, with the relevant fees, before it can be accepted by the Department. The approved forms are available on the [Department's website](#)<sup>1</sup>.

A caveat may be lodged by a person claiming a legal or equitable interest in a mineral title, or in an application relating to a mineral title.

A Caveator may also specify which dealings the caveat does not relate to, if they wish to do so. For example, you may only wish to be notified of future transfer dealings, in this case you would specify that the caveat did not apply to agreements, mortgages etc.

Evidence to support the interest claimed must accompany the approved form.

Once lodged and accepted by the Minister, a caveat prevents the registration of further dealings until the caveat ceases to have effect.

### Continuation of a Caveat

When a dealing is lodged against an application or mineral title where a caveat is in force, the Caveator is notified of the lodgement of the dealing.

The Caveator has 30 days after this notification to either:

- lodge a continuation of the caveat; or
- take action to prevent the registration of the dealing.

A request for a continuation of caveat must be lodged on the appropriate approved form and must be accompanied by the appropriate fee.

If a notice of continuation is received within this timeframe, and accepted by the Minister the caveat ceases to have effect in relation to the dealing in question and the registration of the dealing will proceed.

If a notice of continuation is not received then the caveat ceases to be in force and the registration of the dealing will proceed.

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<sup>1</sup> <https://nt.gov.au/industry/mining-and-petroleum/mineral-titles/mineral-titles-forms-and-guidelines/caveat-forms-and-guidelines>

Once this occurs, the Caveator is prohibited from lodging another caveat claiming the same interest as specified in the cancelled caveat.

## When a Caveat ceases to be in force

A caveat may cease to be in force because:

- it is withdrawn by the Caveator
- the Tribunal orders that it be removed
- 30 days after notice is given to the Caveator and no notice of continuance is accepted

## Withdrawal of a Caveat

If at any time the Caveator wishes to withdraw the caveat, the appropriate approved form must be lodged with the Department.

## Further information

Mineral Titles

5<sup>th</sup> Floor Centrepoint Building, The Mall

Darwin, Northern Territory

Phone: 08 8999 5322

Email: [titles.info@nt.gov.au](mailto:titles.info@nt.gov.au)

**Disclaimer** Whilst this information bulletin has been provided to assist applicants in their compliance with the Mineral Titles Act 2010, it is incumbent on them to acquaint themselves with the provisions of the Mineral Titles Act 2010 and all other laws of the Northern Territory as are applicable. Fees are subject to change without notice.