

Guideline 2 - Amalgamated Reporting

Introduction

This guideline outlines the various requirements under the *Mineral Titles Act (the Act)* and *Mineral Titles Regulations (the Regulations)*, in relation to making an application for the amalgamation of reports as permitted under section 94(3)(d) of the Act.

Amalgamated reporting is designed to ease reporting obligations of the title holder by:

- allowing a combined annual technical report, covering all titles in the group, to be submitted on a single preferred date nominated by the title holder, or
- for a mining management report on an ML due under the *Mining Management Act*, to have a common reporting date with the annual report due under the *Mineral Titles Act*.

Amalgamated reporting approval is a privilege and titleholders are expected to be diligent with regard to reporting deadlines. If deadlines are not met, approval can be withdrawn.

The amalgamated technical report will specify what exploration activities occurred on each of the individual titles within the group. The amalgamated expenditure report will contain a completed *Mineral Exploration and Mining Expenditure* form for each of the individual titles in the group.

Amalgamated reporting will be commonly known as 'Group' reporting. The Department will assign a GR number for the purpose of group reporting upon approval of the application by the Minister.

Applicants must use the *Amalgamated Reporting – Application and Amendment* approved form. Applications may not be approved if the mineral titles subject to the application have reports overdue at the date of making the application.

Under Regulation 80 it is possible to apply for an Expenditure Project Area (see Guideline 3 'Compliance with Expenditure Conditions') for two or more ELs where the title holder intends to spend a substantial amount on technical work. In all instances, expenditure reporting is also required individually across each EL or ELR.

Section 94(3)(d) of the Act - Reports

The Act provides for the amalgamation of reports in the following circumstances:

- a) reports required under the Act and a report under the *Mining Management Act*, or
- b) reports required under the Act in relation to two or more mineral titles held by the same person; or
- c) reports required in relation to two or more mineral titles held by related bodies corporate.

In relation to (a), an amalgamation of reports relates only to MLs and a common reporting date.

In relation to (b) or (c), an amalgamation of reports relates to the same type of report - either an expenditure report or an annual report.

Regulation 79 – Annual report for ML and mining management report

The holder of a ML may apply to the Minister for approval to submit the annual report on the same day as one or more reports the title holder is required to give under the *Mining Management Act*.

The title holder must nominate a preferred reporting date for submitting the report approved under this regulation.

If the Minister approves the application, the title holder must give the Minister the annual report and each mining management report on or before the preferred reporting date.

Regulation 87 – Amalgamated report for ELs, ELRs or MLs

An application for approval to amalgamate reports may be made if all of the following circumstances apply:

- a) the reports relate to titles held by the same title holder
- b) the mineral titles are of the same type and in the same geological province; and
- c) the title areas are adjoining or substantially contiguous.

‘same geological province’ is taken to mean the geological target being investigated is over a geological unit or, a continuous zone of contiguous and related geological units, and preferably for a common mineral commodity.

‘substantially contiguous’ is taken to mean:

- a) the mineral titles are not separated by more than 5 blocks; or
- b) are separated only by a proposed title area under application for the grant of a mineral title made by the person applying for approval of amalgamated reporting.

The Minister has discretion to consider, and restrict the number of mineral titles that may be subject to any one approved amalgamation of reports. Consideration will not be given to amalgamation of more than 25 titles.

An application under this regulation must include:

- a) a schedule of the mineral titles to be included; and
- b) a preferred reporting date for giving the amalgamated report; and
- c) information about the commodity and regional geology; and
- d) a map clearly depicting the mineral titles to demonstrate they are ‘substantially contiguous’ as defined above.

The applicant may nominate a reporting date that reflects their individual requirements. This may be any relevant date such as coincident with reporting dates for other statutory bodies, or common anniversary dates. The preferred reporting date should consider the time required for report preparation and submission, and should be no more than 60 days after the end of the proposed reporting period covered by the report.

If the Minister approves the application, the preferred reporting date will become the actual date for the report to be given to the Minister. No further extensions will be permitted. Section 167 of the Act provides for the Minister to extend the time specified for the lodgement of reports. This provision will not apply to amalgamated reports as the title holder now has the flexibility to nominate a preferred reporting date, based on their particular requirements.

A title holder may apply to the Minister, on the approved form, to amend an existing amalgamation of reports such that active titles may be added to, or withdraw from, the group.

Regulation 88 – Information contained in report

It is a condition of a mineral title that the title holder must, when giving a report include all of the information to be given under the Act and:

- if there is an approved form, give the information required by the form; and
- otherwise – format particular information in a way that is acceptable to the Minister.

Please refer to Guideline 7, *Guidelines for Reporting on Mineral Titles* for detailed information on content and format requirements.

If the title holder contravenes the conditions mentioned in regulation 88(1) and 88(2) the Minister may refuse to consider the report. This may result in the report being returned to the title holder for correction and relodgement.

If a report is not lodged in accordance with the period provided for in regulations 79 or 87, the title holder may incur late lodgement fees as mentioned in Schedule 1 Part 5.

Regulation 125 – Release or publication of information

Where an approved amalgamation for annual reports exists and one or more of the mineral titles ceases to be in force, for all or part of the title area of that title, and the titleholder does not lodge the required final report on or before the reporting day for the title, the Minister may release information included in an amalgamated report, even if the other mineral titles remain in force.

Regulation 131 – Fee payable if report not given on or before reporting day

Late lodgement fees start accruing on the day after the reporting day and continue until:

- the day the report is given to the Minister; or
- the day the Minister cancels one or all of the mineral titles to which the report relates; or
- the day after a period of 60 days has elapsed.

In addition to the imposition of a late lodgement fee, the Minister may also cancel the approved amalgamation of reports and take separate action under section 105 of the Act to cancel:

- the whole title area of all or some of the mineral titles subject to group reporting; or
- part of the title area of all or some of the mineral titles subject to group reporting.