

**Native Title Procedures**  
**Mineral Resources Act 1989**  
**Parts 12, 13, 18 & 19**

PROSPECTING  
PERMITS

**Commencement Edition**  
**18 September 2000**

**Manual for Applicants for**  
**PROSPECTING PERMITS**



**Queensland**  
**Government**  
Department of  
**Mines and Energy**

**NATIVE TITLE PROCEDURES**

**MINERAL RESOURCES ACT 1989**

**Parts 12, 13 18 &19**

**MANUAL FOR APPLICANTS FOR**

**PROSPECTING PERMITS**

**COMMENCEMENT EDITION**

**DEPARTMENT OF MINES AND ENERGY**

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## PREFACE TO COMMENCEMENT EDITION

This Manual has been prepared to assist intending applicants for Prospecting Permits under the *Mineral Resources Act 1989* to become familiar with the new alternative State provisions for dealing with native title in the application process for such tenements, following commencement of these State provisions on 18 September 2000.

The State provisions replace those previously required under the Commonwealth *Native Title Act 1993*, chiefly those known as the 'right-to-negotiate' provisions.

This Manual has been prepared on the basis of the *Mineral Resources Act 1989* and the *Land and Resources Tribunal Act 1999* after they were amended by the *Native Title Resolution Act 2000* in September 2000. This followed approval of the alternative State provisions by the Commonwealth Attorney-General under the *Native Title Act 1993*, and scrutiny by the Commonwealth Parliament through disallowance motions in the Senate.

This edition of the Manual differs from the Provisional Edition issued in December 1999 (which was based on the amendments to the *Mineral Resources Act 1989* encompassed in the *Native Title (Queensland) State Provisions Amendment Act (No 2) 1998*, and the *Native Title (Queensland) State Provisions Amendment Act 1999*), as some of the alternative State provisions did not survive the disallowance motions, and others have been modified to give additional rights to native title parties. These changes were made by the *Native Title Resolution Act 2000*.

Specifically, the procedures for low-impact Prospecting Permits have been amended by the *Native Title Resolution Act 2000* to give additional substantive and procedural rights to native title parties that are no less favourable than those proposed in New South Wales.

***Disclaimer: This Manual is not a legal document and is issued as a general guide only. It does not replace the detailed provisions of the legislation with which you must comply. You should become familiar with the legislation pertaining to your situation and if necessary seek your own legal advice.***

## 1. INTRODUCTION

This manual is designed to assist applicants for Prospecting Permits covering land where native title may exist, to comply with the procedures now required by the new Parts 12, 13, 18 and 19 of the *Mineral Resources Act 1989* (MRA). These procedures, allow native title rights and interests to be taken into account, are additional to the normal procedures of Part 3 of the MRA.

These procedures are the alternative procedures for prospecting permitted under Section 26A of the Commonwealth *Native Title Act 1993* (NTA). They were inserted into the MRA by the *Native Title (Queensland) State Provisions Amendment Act (No 2) 1998*, and the *Native Title (Queensland) State Provisions Amendment Act 1999*. They were approved by the Commonwealth Attorney-General on 1 June 2000 and survived a disallowance motion in the Senate on 30 August 2000, subject to certain amendments being made, which were done by the *Native Title Resolution Act 2000*. They commenced on 18 September 2000.

### ON WHICH LAND DO THE NATIVE TITLE PROCEDURES APPLY ?

#### Land where compliance is necessary

Compliance with the native title procedures is necessary on all land where native title may still exist ('**non-exclusive**' tenures), except in certain particular circumstances as described below. It is irrelevant whether or not a native title claim has been lodged over the area.

Main categories of such land of significance to exploration and mining are:

1. Pastoral Leases
2. Reserves, State Forests
3. Aboriginal Freehold Land and Torres Strait Islander Freehold Land
4. Some freehold land held by the State (previously a non-exclusive tenure and still undeveloped)
5. Occupation Licences
6. Permits to Occupy
7. Unallocated State Land
8. Beds and banks of boundary water courses
9. Roads not mentioned in 'extinguishing tenures' below.

#### Land where compliance is *not* necessary

Compliance is not necessary on land where native title is taken to have been extinguished, ('**extinguishing**' tenures), predominantly land which is:

1. Freehold (other than State freehold as above); or
2. Certain leasehold land tenures that have given exclusive possession to the lessees, (ie '**exclusive tenures**' as set out in Part 3 of Schedule 1 of the *Native Title Act 1993*). Land tenures in this category important in mineralised areas are Grazing Homestead Perpetual Leases (GHPLs), Grazing Homestead Freeholding Leases (GHFLs), Mining Homestead

Perpetual Leases (MHPLs), Agricultural Farms (AFs), various other agricultural leases and certain term or special leases; or

3. Areas that can be shown to have once been covered by freehold or exclusive tenures but are now under a lesser form of tenure. Examples are areas of freehold, GHPL etc that have been converted to State Forest or other State reserves, or areas that have reverted to un-allocated State land (note however that land with this history which is now held or set aside for the benefit of Aboriginal or Torres Strait Islanders or is occupied by Aboriginal people or Torres Strait Islanders is not included);or
4. Certain roads that have been dedicated and:
  - are less than 120.7m wide and entirely surrounded by freehold or exclusive land tenures; or
  - are less than 120.7m wide not surrounded by freehold or exclusive tenures but which have been constructed and established; or
  - are greater than 120.7m wide and have been constructed and established – native title is taken to be extinguished to the extent of 60.35m from the centre line; or
  - have been created entirely from previously existing freehold or exclusive tenures; or
5. Other public infrastructure such as railways, pipelines, fully developed reserves (eg for schools) etc; or
6. Areas of actual disturbance on old Mining Leases and other mining tenements validly granted before 1975.

Considerable tenure examination and tenure history research is needed to identify land mentioned in paragraphs 3-6 above.

## **OVERVIEW OF THE PROCEDURES FOR MINING AND EXPLORATION TENEMENTS**

The following is an overview of the procedures for all exploration and mining tenements, to set those for Prospecting Permits in perspective.

The procedures are designed to run parallel with all other requirements of the Mineral Resources Act.

Applications for all tenements require the notification of relevant native title parties either before or shortly after lodgement of an application.

For prospecting permits allowing prospecting and low-impact exploration tenements, the procedures require consultation with native title parties on the protection of native title rights and interests and the reaching of an access agreement before entry onto the land.

For high-impact exploration tenements consultation and negotiation with native title parties is required to enable the grant of the tenement. Native title parties are entitled to object. If agreement for grant cannot be negotiated, the matter is heard by the Land and Resources Tribunal. The Minister may overrule the Tribunal only in limited circumstances.

For Mining Leases and Mining Claims, consultation and negotiation with native title parties is required for the grant of the tenement. Native title parties are entitled to object. If agreement for grant cannot be negotiated, the matter is heard by the Land and Resources Tribunal in conjunction with any other hearing necessary under the Mineral Resources Act. Again, the Minister may overrule the Tribunal only in limited circumstances.

Mining Leases solely for infrastructure purposes are not subject to the alternative State provisions, but must comply with section 24MD(6)(b) of the NTA as well as the MRA.

Settling of compensation for disturbance to native title interests is required before the grant of a Mining Lease or Mining Claim on land where native title has been recognised (ie where there has been a determination by the Federal Court), either by agreement or a determination by the Tribunal. Where native title has not yet been recognised but there are native title claimants, if agreement with the claimants is not possible, the Tribunal determines an amount to be paid into trust. If the grant of a Mining Claim or Mining Lease needs to be heard by the Tribunal, and there is no agreement on compensation at that stage, the Tribunal must determine the compensation, or decide an amount to be paid into trust as the case may be, at the same hearing rather than at a later date.

When there are no bodies corporate or claimants at the time of grant but these become registered later, they may request a compensation agreement or apply to the Tribunal for compensation to be determined or an amount to be paid into trust at any time after grant.

Settling of compensation is not required before the grant of Prospecting Permits, Exploration Permits, Mineral Development Licences, but native title parties may request a compensation agreement or apply to the Tribunal for compensation or an amount to be paid into trust, as the case may be, at any time after grant.

## **PROSPECTING PERMITS**

Prospecting Permits (PPs) are short term permits with very minor impacts that are granted for the following purposes:

1. entry to land for purposes of pegging Mining Claims and Mining Leases;
2. prospecting for minerals using hand held implements;
3. mining with hand tools (with the permission of the land owner).

There are two types, the Parcel Prospecting Permit (PPP) over individual parcels of land or adjoining land held by the same owner, and the District Prospecting Permit (DPP) covering all land within a Mining District. Under a DPP the consent of an owner of land is necessary for entry as well as for hand mining. A PPP may be applied for a period of up to 3 months, and a DPP for 12 months. They are not renewable.

Prospecting permits are granted by the Mining Registrar for the mining district in which the land is situated, who may impose conditions. Such conditions may limit the permit to one or more of the above three purposes.

## **ARE ANY PROSPECTING PERMITS EXEMPT FROM THE PROCEDURES?**

### **Prospecting Permits conditioned to allow only pegging of a Mining Claim or Mining Lease.**

These are treated as ‘low-impact future acts’ by the Commonwealth legislation, which do not confer a right to mine and hence do not require the ‘right-to-negotiate’ process of that legislation, or the alternative processes of the State provisions in Part 13 of the MRA.

MRA Section 427

Accordingly only the procedures of Part 3 of the Mineral Resources Act apply for these permits.

However, where there are registered native title bodies corporate, these bodies must be afforded the same rights as other landowners for purposes of notification etc. The Mining Registrar can assist with information on which land is subject to such bodies corporate and their names and addresses.

Section 10 A

### **Prospecting permits in areas subject to a registered indigenous land use agreement (ILUA)**

If an ILUA applies to the grant of the relevant type of Prospecting Permits, the procedures required by that ILUA apply instead of those in Part 13 of the MRA.

Section 420

Mining Registrars can advise you if there is a relevant ILUA in an area of prospecting interest.

### **Prospecting permits in ‘approved opal and gem mining areas’**

Under section 26C of the NTA the Commonwealth Minister may approve certain areas of intense opal or gem mining as ‘approved opal and gem mining areas’ where lesser procedures are required.

The native title procedures of Part 13 of the MRA are not required for applications for Prospecting Permits in these areas **provided that they are conditioned so that:**

- prospecting is permitted over no more than 500ha; and
- hand mining is permitted over an area of no more than 5ha; and
- such activities are for opal or gems only.

Section 428

There are no such approved areas at the time of compilation of this manual, but Mining Registrars can advise if any are approved in the future.

### **Prospecting Permits solely below the high water mark.**

The procedures do not apply to prospecting permits solely below the high water mark as the original ‘right to negotiate’ of the Commonwealth *Native Title Act 1993* does not apply in such circumstances.

NTA Section 26(3)

## **Prospecting Permits in areas subject to a 'right to negotiate' agreement under the Commonwealth NTA.**

The procedures also do not apply in cases where a 'right-to-negotiate' process for the grant of a Prospecting Permit under section 26 of the Commonwealth Native Title Act has been completed or is being undertaken. There are no such agreements in force or being negotiated at the time of compilation of this manual.

## **WHICH PROSPECTING PERMITS MUST COMPLY?**

### **Prospecting Permits conditioned to allow prospecting on non-exclusive tenures (Low-Impact Prospecting Permits)**

Section 26A of the Commonwealth NTA provides for prospecting to be exempted from the 'right-to-negotiate' process where the prospecting activities are unlikely to have a significant impact on the land involved, and the Commonwealth Minister has determined that there are satisfactory State procedures in place to deal with native title rights and interests. The activities included in the definition of prospecting in the MRA are considered by the Commonwealth to qualify as having no significant impact.

The Commonwealth Minister has accordingly determined that Prospecting Permits conditioned for only prospecting (or prospecting and pegging), are exempt from the 'right-to-negotiate' process. However they must comply with the alternative State procedures of Part 13 of the MRA. These permits are termed 'low-impact Prospecting Permits'.

The replacement State procedures for such Permits still require certain notification and consultation processes and the reaching of an access agreement with native title parties before grant and entry. These processes are set out in Part 13 of the MRA and are outlined below. The procedures apply to all non-exclusive land.

### **PROSPECTING PERMITS PARTLY OVER EXTINGUISHING LAND TENURES AND PARTLY OVER NON-EXCLUSIVE TENURES (chiefly District Prospecting Permits).**

It is possible to grant a Prospecting Permit in such circumstances without compliance with the native title procedures, provided that the non-exclusive land tenures are specifically excluded from the grant, or the Prospecting Permit is conditioned to allow only pegging on the non-exclusive tenures.

If access to the non-exclusive tenures is required for prospecting later, an application for a new Prospecting Permit which covers both extinguishing and non-exclusive tenures will be required, and the procedures of Part 13 followed for the non-exclusive tenures.

Such a Prospecting Permit can be conditioned to allow pegging, prospecting and hand mining on the extinguishing tenures but only prospecting and pegging on the non-exclusive tenures.

## **ARE THERE ANY PROSPECTING PERMITS THAT CANNOT BE GRANTED ON LAND WHERE NATIVE TITLE MAY EXIST?**

### **Prospecting permits conditioned to allow hand mining as well as prospecting and pegging**

Hand mining is considered no different from other mining under the Commonwealth legislation, and as such, would require the same procedures as for Mining Claims and Mining Leases under the State procedures (Parts 14 and 17 of the MRA) instead of the simpler procedures for prospecting. However, compliance with such complex procedures is impractical for such a short-term tenement.

Consequently Prospecting Permits conditioned to allow hand mining will generally not be issued over non-exclusive land tenures (except where there is an ILUA that allows them, or where there is an approved opal or gem mining area).

District Prospecting Permits may be granted with a condition that hand mining is permitted on the extinguishing freehold and exclusive tenures within them but not on the non-exclusive tenures.

### **NOMINATING ON APPLICATION**

In your initial application for a *Parcel Prospecting Permit*, you should state:-

- (1) whether you wish the Permit to be conditioned for pegging only, or for pegging and prospecting;
- (2) if the latter is the case, whether you believe the application is entirely over extinguishing tenures, or includes at least some non-exclusive tenures;
- (3) if it is over non-exclusive tenures:-
  - whether the land subject to the application is subject to an ILUA;
  - whether it is within an approved opal or gem mining area.

(You can request it to be conditioned for hand mining, only if it is on extinguishing tenures, or on non-exclusive tenures within an approved opal or gem mining area, or where an ILUA provides for hand mining on Prospecting Permits).

In your initial application for a *District Prospecting Permit*, you should state:-

- (1) whether you wish it to be granted over extinguishing tenures only, or both extinguishing and non-exclusive tenures;
- (2) if over non-exclusive tenures, whether you wish it to be conditioned (in respect to the non-exclusive land) for pegging only, or pegging and prospecting

Again you can request it to be conditioned for hand mining on non-exclusive tenures only within any approved opal or gem mining areas, or within areas covered by an ILUA providing for hand mining on Prospecting Permits.

## 2. NATIVE TITLE PROCEDURES FOR PROSPECTING PERMITS CONDITIONED FOR PROSPECTING (‘Low–Impact Prospecting Permits’) Part 13 of the MRA

Such permits, termed ‘low-impact Prospecting Permits’ have been exempted from the Commonwealth ‘right to negotiate’ process with the determination by the Commonwealth Minister that there are satisfactory State procedures to deal with native title rights and interests (NTA, section 26A). However these State procedures still require certain notification and consultation processes and the reaching of an access agreement with registered native title parties before grant and entry. These are as follows: Sections 425, 426, 430

### *Notification*

Within a period of 14 days before lodging your application for the Prospecting Permit with the Mining Registrar, or on the lodgement day itself, you must notify in writing all registered native title bodies corporate, registered native title claimants and representative Aboriginal/Torres Strait Islander bodies for the land involved (the native title notification parties), of your intention to lodge the application or that you have lodged it (see box). You must also give a copy of the notice to the Mining Registrar. Section 431

The Mining Registrar can give you a standard form for this notice. The Mining Registrar or the National Native Title Tribunal can also help you with the addresses and contacts for these bodies. If the Mining Registrar considers that the notice is defective, you may be directed to re-issue it within a certain period. Section 432

<b><u>Notification Details</u></b>	Section 431
<i>The written notice <u>must</u> include the following:</i>	
<ul style="list-style-type: none"> <li>• <i>the name and postal address of the applicant;</i></li> <li>• <i>whether or not the application for the Prospecting Permit has been lodged;</i></li> <li>• <i>a clear description of the land, and its location;</i></li> <li>• <i>details of the activities proposed for the land;</i></li> <li>• <i>an outline of the expected impact on the land by the proposed activities;</i></li> <li>• <i>a statement that you cannot enter land where native title may exist unless you have an access agreement for entry to the land with registered native title parties (see below).</i></li> </ul>	

After you have notified the native title parties as required, the Prospecting Permit can then proceed to grant in the usual manner. However the term does not begin until the Mining Registrar receives a copy of an access agreement for entry to the land.(see below).

Section 430A

***Requirement for consultation and access agreement before entry***

Despite the grant of the Prospecting Permit you cannot enter any non-exclusive land until you have consulted, and reached an access agreement, with, any registered native title party for the land (you do not have to consult or reach an access agreement with any party that gives a written notice to you that it does not wish to be consulted or does not require an access agreement).

Sections 433,

A *registered native title party* is a registered native title body corporate or a registered native title claimant who is registered when you wish to give notice of the start of the consultation period, (see below) or becomes registered by the time the consultation period starts.

Section 429

***Notice of start of consultation***

When you are ready to begin consultation about entry, you must give a notice to all registered native title parties for the land, nominating a day for consultation and discussions about an access agreement to start. The notice must contain a clear description of the land to be entered and its location and a description of the activities to be carried out. A copy of the notice must be forwarded to the Mining Registrar.

This notice must not be given before 3 months have passed since you gave notice of the application for the Prospecting Permit.

The consultation starting day must be at least 1 month after you give the consultation starting notice.

The consultation period lasts for 2 months after the consultation starting day.

Section 435

***Matters for Consultation***

Sections 434

*The purpose of consultation is to minimise the impact of the Prospecting Permit on the exercise of native title rights and interests in the land that will be affected by the permit, and to obtain the necessary access agreement for entry. In particular, the consultation must be about:*

*(a) the protection and avoidance of any area or site, on the land or waters to which the native title rights and interests relate, of particular significance to the persons holding the native title in accordance with their traditional laws and customs;*

*(b) any access to the land or waters to which the native title rights and interests relate by –*

*(i) the persons mentioned in paragraph (a) above; or*

*(ii) any person who will do anything authorised under the Prospecting Permit; and*

*(c) the way in which any other thing authorised by the Prospecting Permit that affects native title rights and interests is to be done.*

**Nature of Access Agreements**

*Section 434A*

*An Access Agreement may contain provisions about any of the following:*

- a) the periods during which you are permitted access to the area;*
- b) the parts of the area you may access;*
- c) the kinds of low-impact activities that may be carried out;*
- d) requirements that you must observe;*
- e) things that you need to do to protect the environment;*
- f) compensation to be paid under Part 18 of the MRA;*
- g) how disputes arising in connection with the Agreement are to be resolved;*
- h) the way the Agreement may be changed; and*
- i) other matters the parties agree to provide for.*

*If an Access Agreement contains provisions inconsistent with the MRA or a condition of the tenement, such provisions have no effect.*

***Mediation***

If at the end of the consultation period an access agreement has not been reached, you or a registered native title party for the area may ask the Mining Registrar for the district to hold a conference for mediation about the access agreement. You and the native title parties may be represented by a lawyer if desired. Each party must pay its own costs for the conference.

*Section 436*

***Decision by Tribunal***

If an access agreement has not been reached within one month of the Mining Registrar being asked to mediate, you or a registered native title party for the land may ask the Mining Registrar to refer the matter to the Land and Resources Tribunal for a decision on the terms of an access agreement.

If the Tribunal decides the terms of an access agreement, it must also make a compensation decision or compensation trust decision under Part 18 of the MRA .

*Section 436A*

***Notification of access agreement***

As soon as practicable after an access agreement for entry to an area is obtained and before you enter the land, you must give a copy of the access agreement to the Mining Registrar for the district. *Section 437*

***Start of term of Prospecting Permit and entry***

The term of the Prospecting Permit begins after you give a copy of the access agreement (or a notice from all registered native title parties that they do not require an access agreement) to the Mining Registrar, and you may then enter the area.

*Section 430A*

The Mining Registrar may take action (eg impose conditions on the Prospecting Permit) to address any matter raised by the registered native title parties in relation to the access agreement.

Section 438

### ***Compliance with access agreement***

Once an access agreement is reached and you enter the land, you must carry out your activities consistent with the agreement. Any alleged breach is subject to investigation and the normal penalties for infringement of the MRA.

Section 433A

### ***Compensation***

Native Title holders are entitled to seek compensation at any time after the grant of the Prospecting Permit for the effect of any activities carried out under the Prospecting Permit on native title rights and interests. (As mentioned above, they may include such matters in the access agreement). If you cannot reach agreement with them, they may seek a determination in the Tribunal. In the latter case, if a native title holder is other than a registered native title body corporate, the compensation must be paid into trust until native title is determined for the area.

Sections 707-713, 717-718

### **3. COMPENSATION PROVISIONS FOR PROSPECTING PERMITS**

#### **Part 18 of the Mineral Resources Act**

Under the Commonwealth Native Title Act 1993, native title holders are entitled to compensation for the effect of any act on their native title rights and interests, including grants of Prospecting Permits. This compensation is payable by the State making the grant or other approval, unless a law of the State provides for other parties to pay the compensation.

#### **WHEN IS COMPENSATION REQUIRED?**

There is an entitlement for compensation for the following acts:

The **grant of**:

- Prospecting Permits under the native title provisions of Part 13 of the MRA;
- Prospecting Permits on the seaward side of the mean high water mark (where the alternative State provisions of Part 13 of the MRA or Commonwealth 'right to negotiate' process do not apply);
- Prospecting Permits in approved opal or gem mining areas determined under section 26C of the Commonwealth NTA (where the alternative State provisions of Part 13 of the MRA or Commonwealth 'right to negotiate' process do not apply) (No such areas have been determined at the time of writing of this Manual).
- Prospecting Permits the subject of an Indigenous Land Use Agreement (ILUA) if the ILUA does not provide for compensation.

Section 706

#### **HOW AND WHEN IS COMPENSATION SETTLED?**

Part 18 of the *Mineral Resources Act 1989* sets out how such compensation is to be settled in different circumstances. These provisions largely parallel the compensation entitlements of other land holders, but with modifications to cater for the fact that the actual native title holders may not have been determined and there are only registered claimants at present.

Compensation is payable by the applicant or the holder of the tenement, except in limited special circumstances where the State is liable. It is payable by agreement or after determination by the Tribunal (as with other land holders).

Agreements on compensation can be about any matter and are payable in money or non monetary form. They must be in writing, signed by all parties, and lodged with the Mining Registrar to have force and effect. If an agreement is reached with a claimant but it later turns out that they were not the true native title holders, and the eventual registered native title body corporate requests the tribunal to determine compensation, the State will be responsible for this second compensation.

If the Tribunal is required to make a determination on compensation where there is a registered native title body corporate, it makes a 'compensation decision' which takes effect immediately. This compensation must be in money, but the body corporate can ask the Tribunal to recommend that all or some of the compensation be paid in a non-monetary form.

If there are only registered native title claimants the Tribunal makes a ‘compensation trust decision’ for money to be paid into trust until a determination of native title is made and a registered native title body corporate is established.

For **Prospecting Permits**, compensation is *not* required before grant, unless the registered native title parties request it in the required access agreement. Registered native title bodies corporate or registered native title claimants are entitled to approach you at any time for an agreement on compensation or seek a determination in the Tribunal for a ‘compensation decision’ or ‘compensation trust decision’ as the case may be for the effect of the tenement on their rights and interests. This should occur only after it is clear in the prospecting programme what those effects have been, or will be.

Section 717-718

**4. SPECIAL PROVISIONS APPLYING TO APPLICATIONS FOR PROSPECTING  
PERMITS OUTSTANDING AT THE TIME OF COMMENCEMENT OF THE  
NATIVE TITLE PROCEDURES  
Part 19 of the Mineral Resources Act**

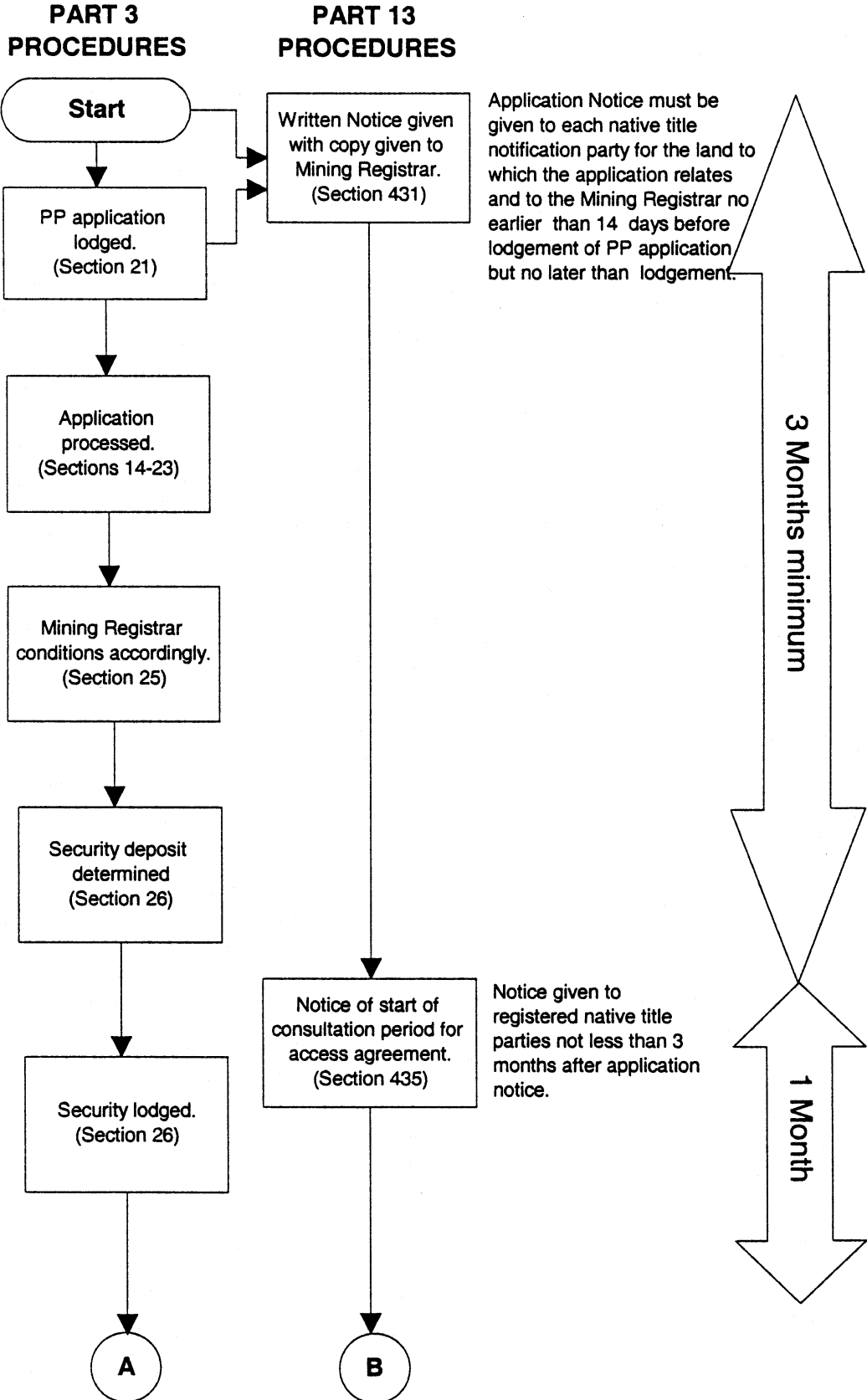
Special transitional provisions are required for applications for tenements which are outstanding over non-exclusive land at the time of commencement of the native title procedures.

Regardless of the stage they have reached towards grant under Part 3 of the MRA, applicants for Prospecting Permits to be conditioned for prospecting over non-exclusive land will have to comply with the native title procedures of Part 13 of the MRA before grant.

If there are any applications for such Prospecting Permits outstanding on the commencement of the native title procedures, the notification process of the procedures must start within 2 months of the commencement of the procedures.

Section 728

### FLOW CHART Prospecting Permit Application Low impact PP over non-exclusive land



**FLOW CHART**  
**Prospecting Permit Application**  
**Low impact PP over non-exclusive land**

