



# **Offshore Minerals (Multiple Applications for Exploration or Mining Licences) Regulations 2018**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 30 August 2018

Peter Cosgrove  
Governor-General

By His Excellency's Command

Matt Canavan  
Minister for Resources and Northern Australia

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## Part 1—Preliminary

### 1 Name

This instrument is the *Offshore Minerals (Multiple Applications for Exploration or Mining Licences) Regulations 2018*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	1 September 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under the *Offshore Minerals Act 1994*.

### 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

### 5 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) Designated Authority;
- (b) licence.

In this instrument:

*Act* means the *Offshore Minerals Act 1994*.

*application* means an application for an exploration or mining licence to which section 58 or 203 of the Act applies.

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*principal office* of a Designated Authority means the principal office of the Department of State administered by the Designated Authority.

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## **Part 2—How multiple applications are dealt with**

### **6 When applications made other than by electronic communication or pre-paid post are taken to have been lodged**

An application for an exploration or mining licence that is made other than by electronic communication or pre-paid post is taken to have been lodged at the time it is received at the principal office of the Designated Authority.

Note: For applications made by electronic communication or pre-paid post, see section 14A of the *Electronic Transactions Act 1999* and section 29 of the *Acts Interpretation Act 1901*.

### **7 Time in relation to lodgement of applications**

For the purposes of paragraphs 58(2)(b) and 203(2)(b) of the Act, 30 minutes is prescribed.

### **8 Way of drawing lots**

- (1) For the purposes of subsections 58(2) and 203(2) of the Act, this section prescribes the way of drawing lots.
- (2) The Designated Authority must give each applicant written notice of the time and place of the draw at least 7 days before the draw.
- (3) Each applicant may, in writing given to the Designated Authority before the draw, authorise a person to represent the applicant at the draw.
- (4) Before the draw, the Designated Authority and all applicants must agree, in writing, on the person who is to draw the papers under paragraph (5)(f). The person must not be the Designated Authority or an applicant, or an officer, employee, representative or agent of an applicant.
- (5) At the draw:
  - (a) each applicant (or their representative authorised under subsection (3)) may be present; and
  - (b) the Designated Authority must write the name of each applicant on a separate paper of the same kind as the paper on which the name of each other applicant is written; and
  - (c) the papers and writing may be examined by each person present at the draw; and
  - (d) the Designated Authority must fold each of the papers in the same manner; and
  - (e) the Designated Authority must place each of the papers in a container that:
    - (i) is empty (apart from the papers); and
    - (ii) the interior surface of which will not snag the papers; and
  - (f) the person agreed on under subsection (4) must draw the papers individually from the container without looking into the container; and

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- (g) the Designated Authority must record on each paper the place of the paper in the order of drawing of papers from the container; and
- (h) the Designated Authority must record on each application the number that corresponds to the place in the draw of the paper relating to the application.



## **Part 3—Application, saving and transitional provisions**

### **9 Application of this instrument**

This instrument applies to an application for an exploration or mining licence made on or after the commencement of this instrument.

## **Schedule 1—Repeals**

### ***Offshore Minerals (Ballot Procedures) Regulations***

#### **1 The whole of the instrument**

Repeal the instrument.