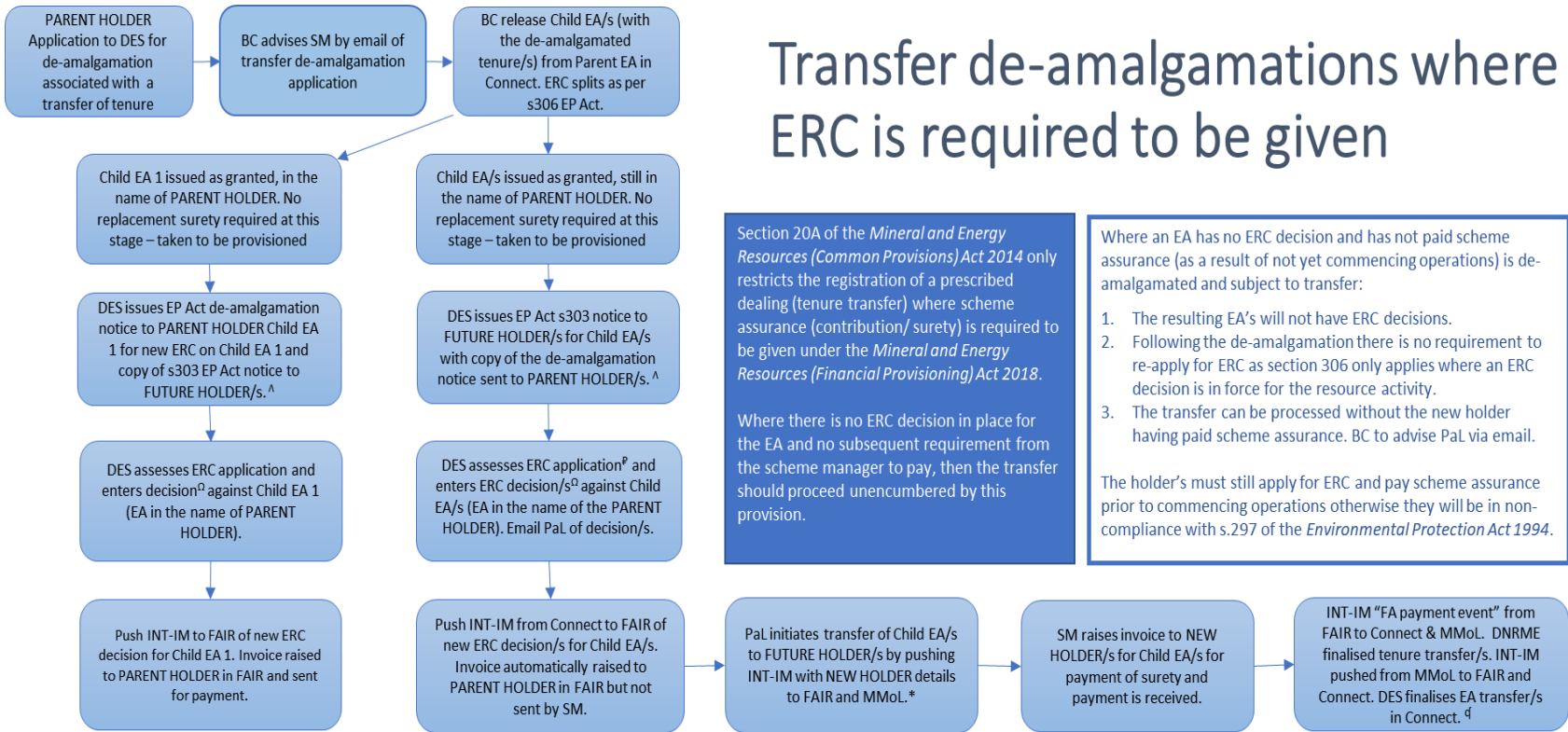


Transfer de-amalgamations where ERC is required to be given



Section 20A of the *Mineral and Energy Resources (Common Provisions) Act 2014* only restricts the registration of a prescribed dealing (tenure transfer) where scheme assurance (contribution/surety) is required to be given under the *Mineral and Energy Resources (Financial Provisioning) Act 2018*.

Where there is no ERC decision in place for the EA and no subsequent requirement from the scheme manager to pay, then the transfer should proceed unencumbered by this provision.

Where an EA has no ERC decision and has not paid scheme assurance (as a result of not yet commencing operations) is de-amalgamated and subject to transfer:

1. The resulting EA's will not have ERC decisions.
2. Following the de-amalgamation there is no requirement to re-apply for ERC as section 306 only applies where an ERC decision is in force for the resource activity.
3. The transfer can be processed without the new holder having paid scheme assurance. BC to advise PaL via email.

The holder's must still apply for ERC and pay scheme assurance prior to commencing operations otherwise they will be in non-compliance with s.297 of the *Environmental Protection Act 1994*.

[^] To be sent to both PARENT and FUTURE HOLDER/s on same day .

[^] Information requests to be streamlined to as great an extent possible to minimise delays in re-provisioning the Child EA/s.

[^] ERC decision to be entered into Connect within 5 business days of decision date.

* Must be a 'granted' or 'granted not effective EA', a registered suitable operator and there be an INT-IM received from MMoL for every tenure for the transfer to be initiated.

[^] Transfer can only be finalised in Connect if an INT-IM has been received for every tenure on the EA. ERC application materials are to be loaded after the ERC decision and transfer occurs. If the transfer does not proceed, the de-amalgamated EAs do not take effect and original parent and ERC decision stands. Connect record needs to be updated to reflect this.

Acronyms: DES – Department of Environment and Science, BC – Business Centre DES, PaL – Permits and Licensing DES, SM – Scheme Manager, EA – Environmental Authority EP Act – *Environmental Protection Act 1994*, ERC – Estimated Rehabilitation Costs, INT-IM – Integrated Message between Connect, FAIR and MMoL, FAIR – Financial Assurance Information Register, DNRME – Department of Natural Resources, Mines and Energy, MMoL – My Mines OnLine.