

## M2: Consequential Amendments to the Mineral Titles Act

### Key objectives of the consequential amendments to the Mineral Titles Act

To further streamline the proposed new regulatory framework a number of minor consequential amendments will be made to the *Mineral Titles Act 2010 (MTA)*. These will include:

- The introduction of ‘fit and proper person test’ criteria for all mineral titles applications;
- Requirement for technical work program extended to mineral lease applications and renewals;
- Introduction of an ‘Authority to commence or continue activities’, on receipt of the security;
- Introduction of a legacy mine site reservation provision to protect major legacy remediation projects.

### Regulation reform summary

Key differences between the proposed mining and environmental reforms from current arrangements are:

Current Arrangements	Proposed Arrangements
<p>The MTA currently requires that the Minister may refuse to grant a mineral title if there is clear evidence that the applicant is not a fit and proper person to hold the mineral title.</p> <p>The MTA provides no further guidance on what would constitute a ‘fit and proper’ person.</p>	<p>The amendments will introduce fit and proper person criteria to be met for either granting or refusing to grant a new mineral title.</p> <p>The criteria will be consistent with similar fit and proper provisions in the <i>Environment Protection Act 2019 (EP Act)</i> and the Environment Minister will be able to rely on this test when considering whether to grant an environmental approval or environment (mining) licence to the same entity.</p>
<p>The MTA currently requires the provision of a summary of the work proposed to be carried out for conducting authorised activities under a mineral lease. Technical work programs are required for exploration and extractive operations.</p>	<p>The amendments will introduce a requirement to provide a technical work program for the grant of a mineral lease.</p>
<p>Under the current <i>Mining Management Act 2001 (MMA)</i> a security is required to be paid before the authorisation is valid and works can commence.</p>	<p>Under the new regulatory framework, the Environment Minister will set the security amount payable and the Minister for Mining and Industry will retain responsibility for the receipt and administration of the security.</p>

Current Arrangements	Proposed Arrangements
	Receipt of the security will be formally confirmed on the issue of an 'Authority to commence or continue activities' under the MTA.
Under the current MMA there is no provision to safeguard the remediation works on a legacy mine site from further applications to explore, extract or mine.	<p>The proposed Legacy Mines Remediation Bill will introduce an ability for the Minister for Mining and Industry to declare a major remediation project as a 'reserved legacy mine site' through a gazette notice.</p> <p>The MTA will be amended to prevent any new applications for exploration, extractives or mining activities being made on the 'reserved legacy mine site' for the duration of the gazette notice.</p>

## Benefits

These consequential amendments will help streamline the new regulatory framework for mining under the EP Act by ensuring that;

- Only fit and proper applicants are granted mineral titles in the Northern Territory;
- Proposed technical work programs are provided early in the application process for all mineral titles; and
- A formal authority to commence or continue activities is issued once the security has been provided.

The consequential amendments will also ensure that the MTA supports the new Legacy Mines Remediation legislation when undertaking major and costly remediation works.

## Further information

A number of fact sheets have been developed addressing different aspects of the mining and environmental reforms. These are available on the [Department of Environment, Parks and Water Security website](#)