November 2024

Application for an extension or exemption from reporting

# *Form ER01, Mining Act 1992 and Petroleum (Onshore) Act 1991*

**Access the** [**Titles Management System (TMS) Portal**](https://meg.resourcesregulator.nsw.gov.au/mining-and-exploration/titles-management-system) **to lodge this application electronically.**

**Any required fee payments and attachments can be submitted through the portal.**

When to use this form

**Complete this form if you are an authorisation holder or titleholder in NSW and you want to apply for an extension or exemption from reporting on one or more authorities or titles.**

To be considered for an extension of time or exemption from reporting requirements, this form must be lodged **no later than 30 days before the due date of the report** in accordance with cl67 and cl68 of the [Mining Regulation 2016](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0498) (Regulation) and cl27 and cl28 of the [Petroleum (Onshore) Regulation 2016.](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2016-0500)

Under the Regulation:

* an extension of time can be applied for in respect of the provision of annual reports under cl59 (see cl67); and
* an exemption can be applied for with respect to the provision of annual, final and partial relinquishment reports required under cl59 to cl61, or for any other report required with respect to operations (see cl68).

Under the Petroleum (Onshore) Regulation 2016:

* an extension of time can be applied for with respect to the provision of annual, final and partial relinquishment report and reports on drilling and seismic activities required under cl21 to cl24 (see cl27); and
* an exemption can be applied for with respect to the provision of annual, final and partial relinquishment report and reports on drilling and seismic activities required under cl21 to cl24 or with respect to operations under the petroleum title (see cl28).

Failure to provide any required reports without reasonable excuse is an offence under either s163C(3) of the *Mining Act 1992* (Mining Act) or s97C(3) of the [*Petroleum (Onshore) Act 1991.*](https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1991-084)

If there is insufficient room in the fields, please provide the information as an attachment.

Any reference to the ‘**department**’ in this form, refers to the **Department of** **Primary Industries and Regional Development**.

Privacy statement

View the department’s [privacy statement](http://www.resources.nsw.gov.au/privacy) on how information in this application will be used.

How to lodge

You can lodge your application (this form and any attachments) in the following ways:

* **By email:** titles@regional.nsw.gov.au
* **By mail:** NSW Resources, Assessments and Systems, PO Box 344, Hunter Region Mail Centre NSW 2310
* **In person:** in person at the department’s office, 516 High Street, Maitland, NSW, business days, between the hours of 9.30am and 4.30pm.
* **Facsimile:** +61 2 4063 6973

Lodgement of your application in any of the above ways is taken to be lodgement with the Secretary under the Mining Act.

For help with lodging this application, or for more information about authorisations under the Mining Act in NSW contact:

NSW Resources - Assessments and Systems

**Phone: +61 2 4063 6600 (8.30am – 4.30pm)**

**Email:** titles@regional.nsw.gov.au

Important notes

Exemptions from reporting are not generally granted unless in cases of extreme hardship or where there is unnecessary administrative burden such as duplication.

Agents

If this application is lodged by an agent on behalf of the applicant/s, the department may seek confirmation of the authority under which the agent operates and any limits of that authority. The agent will need to complete the declaration at the end of this form and supply evidence of their appointment, if not already supplied to the department (cl97 of the Regulation, cl34 of the Petroleum (Onshore) Regulation 2016).

Next steps

Once your application has been lodged, the Secretary (or delegate) will make a determination. The department will notify you in writing of the decision.

For extensions and exemptions requested under cl67 and cl68 of the Regulation and cl27 and cl28 of the Petroleum (Onshore) Regulation 2016, the Secretary will notify the applicant of the determination in writing within 21 days of receipt of the application.

1. Authority/title information

List the authority/s or title/s you are seeking an extension or exemption for.

|  |  |  |
| --- | --- | --- |
| Type | Number | Act |
|       |       |       |
|       |       |       |
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|       |       |       |

1. Authority/title holder/s details

Provide the full name, contact details, registered street address, postal address details and if applicable, the ACN or ARBN (for foreign companies).

|  |
| --- |
| 1st Authority holder details |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

|  |
| --- |
| 2nd Authority holder details |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

|  |
| --- |
| 3rd Authority holder details |
| Name |       |
| Contact phone |       |
| Contact email |       |
| ACN / ARBN |       |
| Street address (Registered street address for a company) |       |
| Postal address | [ ]  Same as above |
| Enter here if different |

Additional authority holders or titleholders

Provide the full name, contact details, ACN or ARBN (for foreign companies), street address (individual), registered street address (company) and postal address details of additional authority holders or titleholders.

|  |
| --- |
| Additional holders |
|       |

1. Contact for this application and service

Any correspondence in relation to this application will be sent to this person, including documents that the department is required to serve.

|  |
| --- |
| Contact details |
| Contact name |       |
| Position held |       |
| Company |       |
| Postal address |       |
| Phone (incl area code) |       |
| Mobile |       |
| Email (required) |       |
| Email for service of documents (required) |       |

The department will contact you and **serve** documents related to your application **via the email address specified above**.

Your preferred contact method

If you would **also** like a copy of the documents to be sent to you by mail to the postal address indicated above, please check the box below.

[ ]  I request that copies of the documents and communications are also sent to be by mail.

1. Report/s for which you are seeking an extension

[ ]  Annual activity report (licence condition)

[ ]  Annual (geoscientific) report

[ ]  Partial relinquishment (geoscientific) report

[ ]  Final (geoscientific) report

[ ]  Environmental management/rehabilitation report

[ ]  Community consultation report

[ ]  Well completion report (petroleum only)

[ ]  Seismic survey report (petroleum only)

[ ]  Other report – please specify

|  |
| --- |
|       |

1. Current due date of report/s

|  |
| --- |
| Current due date of report/s |
|       |

1. Exemption or period for extension

|  |
| --- |
| Exemption or period for extension |
| [ ]  | I am seeking an **exemption** |
| [ ]  | I am seeking an **extension for the period of** (eg ‘two weeks from the due date’) | Insert extension period sought |

1. Grounds for application

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| Provide the reason for your request |
|       |

1. Declaration

This form should be signed by the applicant/s (in the case of a company a duly authorised officer) or an agent authorised to act on behalf of the applicant/s.

Each applicant (or the authorised officer or agent) must complete the declaration below and sign this form.

* (For companies and agents) I declare that I am authorised to complete and lodge this application.
* I certify that the information provided is true and correct to the best of my knowledge and belief. I understand under the *Crimes Act 1900* NSW Part 5A, that knowingly or recklessly giving false or misleading information is a serious offence, and under the Mining Act section 378C, any person who provides information that the person knows to be false or misleading is guilty of an offence, for which they may be subject to prosecution.

|  |
| --- |
| 1st Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

|  |
| --- |
| 2nd Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

|  |
| --- |
| 3rd Applicant details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

**OR**

|  |
| --- |
| Agent details |
| Name |       |
| Position/title |       |
| Date |       |
| Signature | 1st Applications Signature |

Note: Evidence of appointment is required if this has not been previously supplied to the department.

# Office/Administrative use only

|  |
| --- |
| Application received: |
| Time: |       | Date: |       |
| Officer’s Name |       |
| Signature | Office use only signature |

View the department’s privacy statement on how information in this application will be used: [www.resources.nsw.gov.au/privacy](http://www.resources.nsw.gov.au/privacy)

# Document control

Approved by: Executive Director, Assessments and Systems, NSW Resources, under delegation from the Minister administering the Mining Act*.*

CM Reference: RDOC24/172839

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| Amendment schedule |
| **Date** | **Version #** | **Amendment** |
| November 2024 | 4.0 | New format for NSW Resources. |
| July 2020 | 1.0 | New format for Regional NSW. Form updated to reflect new department name and branding, and updated links |
| August 2022 | 2.0 | New format to reflect new template Regional NSW/MEGUpdate contact details to reflect @regional email addressUpdated footer: document number and dateReviewed links |
| March 2023 | 3.0 | Form updated to reflect commencement of Mining Regulation 2016 on 1 March 2023. Included information on protected reserves and incomplete applications.Administrative amendments |

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