



GUIDELINES FOR COMPLETION OF STATE DEED (DEED FOR GRANT OF MINING TENEMENT)

BY NATIVE TITLE PARTIES AND GRANTEE PARTIES

Please read these guidelines before attempting to complete the Deed as errors may render the Deed invalid or may result in the Government party declining to execute the Deed

- The Minister for Mines and Petroleum (or his representative) will execute the Deed only in the form as supplied to the parties by the Department of Mines, Industry Regulation and Safety (DMIRS) and after execution by all other parties to the Deed. In exceptional circumstances, if the parties need to alter the basic document, then they should discuss the desired alterations with DMIRS before altering or signing the Deed.
- Multiple native title claimants or tenements can be entered on the schedule to the Deed.
- Only the applicant(s) for the mining tenement (the grantee party), a registered native title claimant(s), and those duly authorised by a power of attorney can sign the Deed.
- All parties must sign in accordance with their governing Articles of Association, except for individuals, who must follow the directions contained within the Deed.
- Signatures of all registered claimants for each native title claim are required. The National Native Title Tribunal, Client Services Branch (08 9425 1000) can provide advice on the details of the registered claimants as at the end of the Section 29 *Native Title Act 1993* (Cth) advertising period and the date the claim was entered on the Register of Native Title Claims. In the case of combined claims it is suggested that you contact DMIRS Tenure and Native Title Branch. (See below)
- All signatures must be witnessed by an independent party to the document.
- In cases where any of the applicants for the registered native title claim are deceased, a certified copy of the death certificate for each deceased applicant should be provided at the time of lodgement of the Deed at DMIRS.
- Do not fill in the date on the front cover page nor in clause 1 of the schedule. This will be filled in with the date on which the Minister for Mines and Petroleum (or his representative) signs the Deed.
- Any changes or alterations must be initialled by all parties to the Deed.
- This proforma Deed itself, has been designed to be submitted as an original document, but in the event of this Deed being re-typed, every care should be taken to avoid errors.
- It is important to forward the Deed to the DMIRS, Tenure and Native Title Branch, for execution as soon as possible after all other parties have signed it as the Deed is not operative until it is executed by the Minister for Mines and Petroleum (or his representative).
- Forward at least one single unbound signed Deed to:

Department of Mines, Industry Regulation and Safety
Tenure and Native Title Branch
Level 3, 100 Plain Street
EAST PERTH WA 6004

If you have any queries in relation to the completion of this Deed or require further copies (available via email) please contact the Tenure and Native Title Branch on telephone (08) 9222 3812, facsimile (08) 9222 3808 or mail.

Prepared by the
Department of Mines, Industry Regulation and Safety
Tenure and Native Title Branch

CHECKLIST FOR STATE DEED

HAVE YOU ENSURED THAT:

- THE SCHEDULE HAS BEEN COMPLETED

- THE GRANTEE PARTY HAS SIGNED THE DOCUMENT AND WHERE APPROPRIATE THE COMPANY SEAL HAS BEEN INCLUDED

- THE GRANTEE PARTY SIGNATURE HAS BEEN WITNESSED

- SIGNATURES FOR ALL REGISTERED CLAIMANTS HAVE BEEN OBTAINED

- THE REGISTERED CLAIMANT SIGNATURES HAVE EACH BEEN WITNESSED BY AN INDEPENDENT PARTY

- A CERTIFIED DEATH CERTIFICATE HAS BEEN SIGHTED FOR ANY DECEASED REGISTERED NATIVE TITLE CLAIMANT(APPLICANTS)

- ANY CHANGES OR ALTERATIONS TO THE DEED HAVE BEEN INITIALLED BY ALL PARTIES