

LEGISLATIVE COUNCIL
Question on notice

Thursday, 12 December 2013

690. Hon Robin Chapple to the Minister for Agriculture and Food representing the Minister for Mines and Petroleum.

I refer to the *Australian Financial Review* article of Tuesday, 22 October 2013, page 6, "Palmer in alleged mining act breach", and I ask:

- (a) what were the circumstances that led to International Exploration failing to meet the annual minimum expenditure for tenement numbered E08/1555;
- (b) did International Exploration provide an explanation as to why they failed to meet the annual minimum expenditure for that tenement;
- (c) if yes to (b), will the Minister table that explanation;
- (d) if no to (b), why not;
- (e) will the Minister table all correspondence between the Department of Mines and Petroleum and International Exploration, and any other entity in respect of the company's failure to meet the annual minimum expenditure for tenement number E08/1555;
- (f) will the Minister table all correspondence between Department of Mines and Petroleum and International Exploration, and any other entity in respect of the company's forfeiture or surrender of tenement number E08/1555;
- (g) if no to (e) and/or (f), why not;
- (h) on what date did the Department of Mines and Petroleum become aware of failure of International Exploration to meet their annual minimum expenditure for tenement numbered E08/1555, and how;
- (i) on what date did International Exploration forfeit or surrender tenement numbered E08/1555;
- (j) on what date did Mineralogy Pty Ltd plaintiff International Exploration tenement numbered E08/1555;
- (k) is the Minister aware that Mineralogy Pty Ltd, Australasian Resources Ltd and International Exploration Ltd share the same office at Level 7, 218 St Georges Terrace, Perth;
- (l) is the Minister aware that Australasian Resources Ltd has 100 per cent equity in International Exploration Ltd;
- (m) is the Minister aware that Mr Clive Palmer is Australasian Resources Limited

controlling shareholder with 60 per cent holding of fully paid ordinary shares with Mineralogy holding a further 9.57 per cent holding of fully paid ordinary shares;

(n) is the Minister aware that Mineralogy Pty Ltd is controlled by Mr Clive Palmer, the Australasian Resources Ltd's controlling shareholder;

(o) does section 69 of the *Mining Act 1978* allow for related companies to take over leases and not be subject to the provisions of that section;

(p) if no to (o), why not; and

(q) if no to (o), why was Mineralogy Pty Ltd allowed to take up the ground released by International Exploration, namely tenement numbered E08/1555?

Answer

The Department of Mines and Petroleum advises:

- (a) I am unable to comment on the commercial reality/circumstances that led to the company failing to meet the annual minimum expenditure for E08/1555 and the Hon Member would need to contact the company to obtain this information.
- (b) No
- (c) Not applicable
- (d) An explanation was not provided.
- (e) No
- (f) No
- (g) The correspondence is not publicly available as it may contain commercially sensitive information. A Freedom of Information request would deal with this issue.
- (h) When an application for exemption from the annual expenditure was lodged on 15 June 2010.
- (i) E08/1555 was surrendered on 29 March 2011.
- (j) Application for forfeiture was lodged on 27 October 2010.
- (k) No
- (l) Yes, the information is mentioned in the press report dated 22 October 2013.
- (m) Yes, the information is mentioned in the press report dated 22 October 2013.

(n) Yes

(o) No

(p) It is the intention of section 69 to prevent 'related' persons, as defined in the *Mining Act 1978*, from applying for land within a licence immediately following the surrender, forfeiture or expiry of that licence for a period of 3 months.

(q) For the purposes of the *Mining Act 1978* Mineralogy is not deemed to be 'related' to the former holder of E08/1555.

hi